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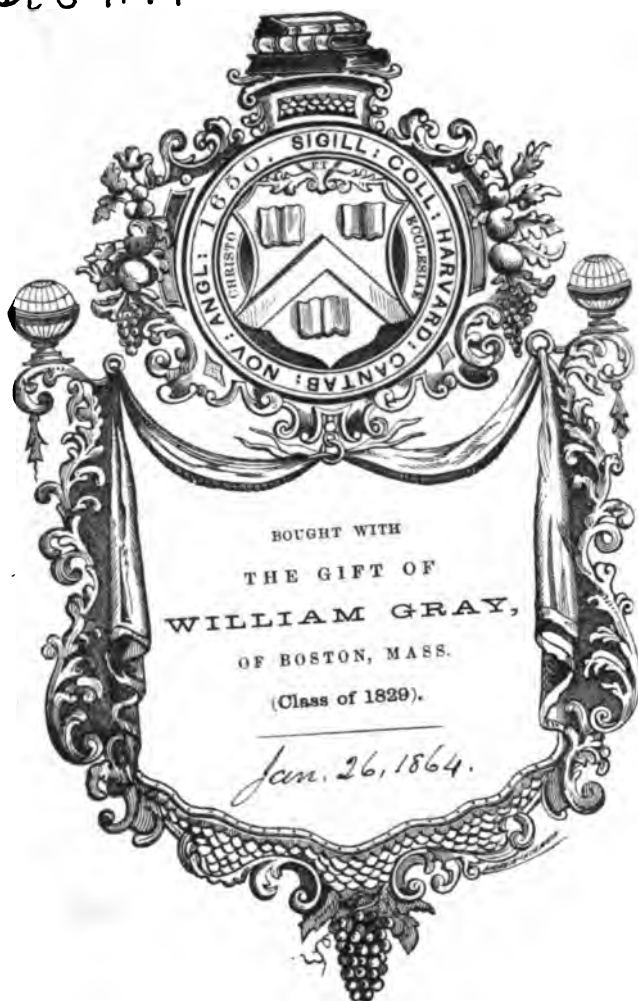
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# ANNALS OF BRITISH LEGISLATION:

BEING

A CLASSIFIED AND ANALYSED SUMMARY OF PUBLIC BILLS, STATUTES,  
ACCOUNTS AND PAPERS, REPORTS OF COMMITTEES AND OF COMMISSIONERS, AND OF SESSIONAL  
PAPERS GENERALLY, OF  
THE HOUSES OF LORDS AND COMMONS.

EDITED BY

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## P R E F A C E.

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THE accounts of the Board of Trade from year to year, given under Series A of the Annals, bring out in a special manner how the trade of the United Kingdom is affected by the political and social condition of all countries. A revolution, a war, a famine, or the sudden discovery of gold mines, alters materially the capacity of countries to send produce to the British market, or their means to consume British manufactures; and the results are seen in the sum total of our trading with them. Thus, in 1860, our Exports to the United States of America amounted to 21,018,500*l*. Soon after, a political revolution turned the tides of prosperity, and in 1861 they were only 9,058,326*l*.; and in 1862, 14,399,000*l*. The Imports from the States in 1861 amounted to 49,385,000*l*., and in 1862 to 27,700,000*l*. The same variations will be found in the value of each article imported and exported, though, owing to the changes of prices from year to year, it is necessary to take into account not only the amount but the quantities; as, for example, the value of cotton imported in 1862 may be the same as in 1861, yet it may represent only a third of the quantity received in former years, seeing that the prices are three times higher. It is only by careful study of the figures exhibited in these accounts that the real state of trade can be properly appreciated. A valuable return will be found under this series of the relation of population to revenue and representation in the different parts of the United Kingdom;

and though the population is only one element as regards the incidence of taxation, it is well to keep this item clearly before our minds. The Report of the Commissioners of Inland Revenue gives the changes made in late years in the Duties on Spirits in England, Scotland, and Ireland, until a uniform rate has been established. It will be observed that the Assessed Taxes apply to Great Britain only. Several other papers of great value are inserted under this series. The Report of the Commissioner of Patents shows how numerous are the petitions for grants of Letters Patent, 3,000 new petitions annually is a serious addition to the number of monopolized articles, but probably a very small proportion only consists of inventions of any importance. The Report on the present mode of assessing the Income and Property Tax has fallen short of public expectation, having left the question as unsettled as ever; nevertheless, Mr. Hubbard's Draft Report, and the valuable evidence obtained by the Committee, form an excellent contribution towards the solution of the many economical difficulties connected with the subject. The Return of the Weekly Earnings of Agricultural Labourers affords information of great value. Although the wages of this class of labourers are unusually low, it will be seen that they generally get something more than the money wages, whilst Agriculture is an employment where women and children of the same family are often employed. Among the Statutes under this series the most important is the one altering the mode of payment to and from the Bank of England.

Under Series B, the Report of the Committee of the House of Commons on the Constitution of the Diplomatic Service deserves attention. The Committee reported more especially on the examination to be established previous to admission into that Service, yet the evidence contains important information on the position of the Attachés and on the Constitution of the

Foreign Office. The Report on the Management of her Majesty's Naval Yard opens up the entire question of Dockyard Expenditure, which should be considered in connection with the Report on the Board of Admiralty. From several documents inserted on the subject, it will appear that the Slave Trade continues to be carried on upon a most extensive scale; the large profits realized giving great encouragement to slaving adventures. Cuba continues to be the great market for slaves, and many are the contrivances made use of by the slave traders to deceive the cruising squadron. The Correspondence on the Affairs in China brings us at last to the close of the Chinese War, and our readers will be interested in perusing the text of the Treaty of Peace and Commerce with that country, and the Convention with the Emperor as regards the amount of indemnity. The other papers under this series are the Correspondence respecting British Claims on Mexico, some Correspondence on the Affairs of Poland in 1831-32, and a valuable Report on Turkish Finances; whilst the Returns of the number of Effectives in the Army and Militia, and of the number of her Majesty's Steam and Sailing Ships afloat, building, and converting, on the 1st of February, 1861, give some idea of the forces of this country.

Series C contains the Report of the Civil Service Commissioners, showing the gradual extension of that system over all the departments of the State. The valuable appointments in the Civil Service in India, now open to public competition, have not yet attracted a large number of competitors, but the field is widening every year. The Report of the Committee of the Privy Council on Education gives the substance of the Industrial Schools Act. Some idea of what is done by the Dissenters in the way of Education is given in a Report of a Committee of that body to the Royal Commissioners, the distinguishing feature of which is the peculiar sources of their income: the low income from endow-

ment being  $6\frac{1}{2}d.$  per scholar ; the large income from school-pence averaging  $6s. 6d.$  per annum per scholar, or  $3\frac{1}{2}d.$  per week ; and the comparatively large annual income from subscriptions and donations amounting to  $5s.$  per week ; the unsectarian, however, having double the income from this source of the sectarian.

The very complete Report on the Construction of Submarine Telegraph Cables, inserted under Series D, gives a description of the principal telegraph lines which have been laid, and a thorough survey of the necessary elements for the success of this mode of communication.

Under Series E, much information is given on Convict Prisons and Tickets of Leave. The prevalence of crimes of violence, and in many cases by men who had been liberated on licence before the completion of their sentence, has awakened public interest in the efficiency of the system. The Reformatory Schools, which now form part of the disciplinary training, are being specially reported upon. The new Bankruptcy Law for England holds a prominent place among the Statutes under this series.

The most complete account of the state of India and of our colonial possessions will be found under Series F.

The Census of the country forms an epoch in the progress of the nation, and the accounts given of the population are full of instruction and permanent interest. The increase of the people in the last fifty years will be seen from the following Table :—

Year.	England and Wales.	Scotland.	Ireland.	United Kingdom.
1801	9,156,171	1,608,420	—	—
1811	10,454,529	1,805,864	—	—
1821	12,172,664	2,091,521	6,801,827	21,066,012
1831	14,051,986	2,364,386	7,767,401	24,183,773
1841	16,035,098	2,620,184	8,175,124	26,830,406
1851	18,054,170	2,888,742	6,552,885	27,495,297
1861	20,223,746	3,061,251	5,764,543	29,049,540

The Report on the Occupation, Ages, and Births of the People is not yet published. A Committee of the House of Commons has carefully inquired into the Administration of the Poor-Law in England, and although no report has yet been made, the many subjects upon which evidence was received are of great importance, and cannot fail to become topics of further discussion, with a view to legislative remedies.

Under Series H, there will be found the Reports of the Commissioners of Lunacy in England and Scotland, showing in both cases a considerable increase in the number of lunatics.

This cursory glance over the contents of the Twelfth Volume of the "Annals," will impart freshness and unity to the documents therein inserted, and form the best commendation to a work which, we trust, so far has been carried out with public approbation.

LEONE LEVI.

10, *Farrar's Buildings, Temple,*  
*July, 1863.*





## EXCISE DUTIES.

*Fourth Report of the Commissioners of Her Majesty's Inland Revenue on Inland Revenue.*

The gross receipt (detailing the amount received for each duty) in the years ended 31st March, 1859, was 18,480,572*l.*; and 1860, was 20,823,727*l.*

	1859.	1860.
Spirits ... ..	£9,188,842	£10,000,191
Malt ... ..	5,592,624	6,852,458
Hops ... ..	416,478	462,881
Paper... ..	1,281,023	1,451,254
Hackney Carriages ... ..	82,129	86,203
Stage Carriages ... ..	125,016	127,673
Railways ... ..	389,569	359,212
Licences ... ..	1,436,892	1,464,575
Game Certificates (Ireland) ... ..	12,228	13,047
Racehorses ... ..	5,771	6,233

**SPIRITS.**—The revenue derived from spirits has continued steadily to increase during the past year, but the large amount of duty received in the last quarter is not entirely to be ascribed to increased consumption. Great quantities were taken out of bond under the supposition that an addition to the duty would form one of the financial measures of the Government. The effect of this anticipation, probably to the extent of 150,000*l.*, has consequently been felt in the succeeding quarter by a decrease of duty as compared with the corresponding period of last year.

When it became known, early in the present year, through the financial statement of the Chancellor of the Exchequer, that, according to the terms of the recent commercial treaty with France, foreign spirits would be admitted for consumption into the United Kingdom at a rate of duty equal to that on British spirits, and a surtax equivalent to the loss and hindrance caused to the home distiller by the excise restrictions, considerable alarm was felt by distillers, more especially as the treaty fixed the amount of the surtax at twopence per gallon, which the distillers considered wholly inadequate as a compensation for the peculiar disabilities under which they carry on their manufacture. The surtax named in the treaty was the same in amount as that charged by the Act 11 and 12 Vict. c. 60, on colonial spirits. Originally, however, the differential duty on such spirits was 1*s.* 6*d.* per gallon, 1*s.* 4*d.* being on account of excise restrictions on home-made spirits. This difference was gradually reduced; first by an increase of the duty on British spirits in 1841, and afterwards by reductions in the duty on colonial spirits. The last reduction was made in pursuance of a recommendation by a committee of the House of Commons on sugar and coffee planting in 1848; but it is only fair to the distillers in this country to state, that it was in opposition to their views, and to the estimates which they submitted to the committee. The encouragement thus given to colonial spirits was not, however, followed by any injury to the home distillers, whose acquiescence, indeed, in the measure, is to be attributed to their knowledge that the consequences to them were not to be apprehended. For it must be borne in mind, that over and above the differential duty of 2*d.* per gallon, the importers of colonial spirits had to bear the expense of a very long voyage; and that rum, the only spirit imported from the colonies, is not of a kind suited to the general demand, and does not, in

fact, enter into competition with British corn spirit, the basis for the manufacture of gin.

With regard to spirits made on the Continent, the case is very different. Besides the spirit distilled from wine, which, on account of its flavour, has a high value, large quantities of spirits are made in Germany, Holland, and Belgium, from materials similar to those used in this country. But the rates of duty chargeable abroad are very considerably lower than in the United Kingdom, and the fiscal restrictions under which the manufacture is conducted are consequently of little moment. The cost, too, of transport from the neighbouring districts of the Continent is not greater than that between many places in the United Kingdom.

Immediately, therefore, on the treaty becoming known, deputations of distillers from the several parts of the United Kingdom waited upon the Chancellor of the Exchequer, and upon this Board, in order to explain their case, and to obtain a proper adjustment of the duties. Upon consideration of their claims, we finally agreed to make the following changes in the law, viz.:—To abolish the prohibitions—against grinding malt with stones, against the use and sale by the distiller of yeast produced at his distillery, against the continuous running of common stills; to give up the annual balance account; to make a larger allowance for waste in warehouse, and to give greater facilities for obtaining remission of duty on spirits lost by accident; to remove certain restrictions which increased the expense of making malt for distillery purposes. By making these concessions, we considered the excise restrictions on the manufacture of spirits reducible to an amount represented in money by 2*d.* per gallon in the case of plain spirits, and 3*d.* in that of rectified or compounded spirits.

The distillers and rectifiers having established these facts, naturally considered that they had a claim to some allowance on exporting their spirit, in order that they might compete with foreign distillers in colonial and other markets. Allowances to the extent of 2*d.* per gallon on plain spirits, and 3*d.* on compounded spirits, when exported, were consequently granted, by a resolution of the House of Commons on the 5th March; and in order to protect the revenue from any diminution by this concession, an additional duty of 1*d.* per gallon was imposed on all spirits distilled in the United Kingdom. In this respect there can be no doubt that the Chancellor of the Exchequer made a bargain highly favourable to the revenue, while the exporters of spirits were placed upon a very satisfactory footing. The alterations in the existing laws which we agreed to recommend, together with others which have subsequently been considered admissible, have been embodied in a Consolidated Distillery Bill, which was in a state of preparation, and to which reference was made in a former report.

The increased consumption during the past year has been nearly uniform throughout the United Kingdom, although, as might be expected, it has been more marked in England. In Scotland and Ireland the rapid rise in the rate of duty chargeable had at first the effect of diminishing the consumption very considerably. In Scotland, in 1852, when the duty was 3*s.* 8*d.* per gallon, the consumption was 7,172,987 gallons; in 1858, when the duty was 8*s.*, it had fallen to 5,301,056. In Ireland, in 1852, with a duty of 2*s.* 8*d.*, the consumption was 8,208,256; in 1858 it had fallen under the 8*s.* duty to 5,636,912. These are the lowest points reached, and as an improvement has now commenced there is every reason to expect that it will be maintained in future years. The mode of ascertaining the quantities

of spirits actually consumed in the several parts of the United Kingdom, as described in the report for last year, although not required for the purposes of the revenue, has appeared to afford information of a valuable kind, and means have, therefore, been taken to extend it backwards to 1854, and to continue it in future years.

The experiments upon a patent mode of distilling from rice, adverted to in a former report, are still continued. The alterations about to be made in the distillery laws will remove any legal obstacles to the general adoption of this process, should it be found to answer.

In connection with spirits it is important to notice the state of the country as regards illicit distillation. The reports of the local officers during the past year have been generally of a highly favourable character; and it is evident that in those districts in which the illegal practice is not wholly extinct it is so efficiently repressed that it has no appreciable influence injurious to the revenue or to the morals of the community. During the year ended March 31, 1860, there were in England 126 detections, 112 prosecutions, 108 convictions, and 78 persons sent to gaol; and in Scotland, 29 detections, 17 prosecutions, 17 convictions, and 5 sent to gaol. In Ireland the duty of repressing illicit trading continues to be satisfactorily performed by the constabulary.

*Methylated Spirit.*—The number of proof gallons of spirits mixed with naphtha was in the year ended March 31, 1859, 336,410 gallons; and in the year ended March 31, 1860, 460,820 gallons. The number of licensed makers of methylated spirits in 1859, 34; and in 1860, 34. The number of persons authorized to use methylated spirits in 1859, 710; and in 1860, 735.

We are informed that methylated spirit has lately been much used by dyers, to produce some of the bright colours which have been in fashion for ladies' dress. It seems that the French have long been in the habit of using alcohol in dyeing, but in this country the high duty on spirits acted as a complete prohibition against the application of them to such a purpose, and enabled the French to maintain an undoubted superiority.

The quantity of roots distilled under "Leylay's patent" is 3,008 tons, which have produced 33,135 gallons of spirits at proof, giving an average of nearly 11 gallons per ton. Three of these distilleries were intended to distil 20 tons of roots per day, but they have averaged only 45, 39, and 34 per week. The other distillery erected to distil 10 tons per day has averaged 36 tons per week only. Duty has been paid on 4,076 gallons of spirits this season; 12,427 gallons have been methylated, and 19,059 gallons remain in the distillers' own duty-free warehouses. The quality of the spirits produced is much improved, as compared with the first spirits obtained by this process. Two of the gentlemen working these distilleries have jointly taken a rectifier's licence to enable them to convert the spirits into British brandy and compounds, and are endeavouring to establish a trade in London.

Of British spirits there were exported in the year ended March 31, 1859, 1,311,006 gallons; and in the year ended March 31, 1860, 2,054,234 gallons. Of which to France in 1859, 11,032 gallons; in 1860, 622,800 gallons. To Australia in 1859, 499,235 gallons; in 1860, 429,702 gallons. And to other countries in 1859, 800,739 gallons; and in 1860, 1,001,732 gallons.

*MALT.*—The number of bushels of malt charged with duty in the year ended March 31, 1859, was 42,794,044, and in 1860 was 44,565,038.

During the last year a larger quantity has been brought to charge than

[s]

in any year since the duty was imposed, now 163 years ago. The increase in the quantity of malt made has been progressive since 1855, and it is the more remarkable, as since that year the account has been diminished by about 3,000,000 bushels used by distillers, and which is now made duty-free under special regulations for the purpose of distillation. This satisfactory growth of the revenue derived from malt is no doubt chiefly due to the uniformly prosperous condition of the country for several years past, but there are other causes which have greatly assisted in this development of the malt trade. The increase in the spirit duties in Scotland and Ireland is well known to have caused a considerable augmentation in the consumption of beer in those countries, while the free importation of foreign barley and the improved quality of that article have enabled maltsters to meet the demands of the brewers. The importation of wines at the reduced rates of duty, which will come into operation early in the following year, may possibly affect the consumption of malt liquors; but, considering the perfection to which the manufacture of ale has been carried in this country, and the moderate charge at which it is generally sold, there is more reason to apprehend that the wine will be substituted for spirits than for beer.

For many years maltsters have had the privilege of obtaining credit for the payment of their duties for a period of eighteen weeks beyond the ordinary time of payment, on giving bond with sufficient sureties. By reducing the period of credit last year to twelve weeks a sum of nearly 857,000*l.* was added to the receipts of the year, and an advance was made towards the abolition of a mode of collection which had long been considered objectionable both in theory and practice. To prevent as much as possible this alteration proving embarrassing to maltsters, discount at the rate of four per cent. per annum was allowed on the anticipated payments. A still further reduction in the period of credit forms part of the financial scheme of the present year; but as maltsters have had ample warning of the proposed change, discount will not be allowed.

The importation of malt from foreign countries has hitherto been prohibited; but as grain of all sorts is now admitted at a nominal duty, it has been suggested that malt should also be admitted on payment of the malt and grain duty, together with a proper equivalent for the excise restrictions under which the home manufacturer carries on his operations. The matter is now before Parliament. We have also had under consideration the important question of allowing the exportation of malt on drawback. As the law stands, a maltster must make his election to make malt for exportation only, or for home use only; but the exigencies of trade and the fluctuations of markets seem to render it desirable that the maltster should be at liberty to send his article, at any time, to the best market.

*Beer Exported.*—The number of barrels of beer exported, and amount of drawback paid thereon, in the years ending March 31, 1859 and 1860, were as follow:—In the year ended March 31, 1859, there were exported 562,793 barrels, and the amount of drawback on beer paid was 76,183*l.* 1*s.* 2*d.* In the year ended March 31, 1860, the quantity exported was 631,363 barrels, and the drawback, 202,358*l.* 10*s.* 5*d.*

*Hops.*—In the year 1858 there were under cultivation 47,601 acres, and 53,125,101 lbs. were charged with duty, the amount of duty being 464,842*l.* In the year 1859 there were in cultivation 45,665 acres, and 68,496,958 lbs. were charged with duty, the amount of duty being 599,346*l.*

This is the fifth year in succession remarkable for the large produce of



hops. The yearly average quality grown in ten years ending 1854 was not quite 36,000,000 lbs., while for the last five years the average annual produce amounts to 61,000,000 lbs., although upwards of 12,000 acres of ground have been taken out of cultivation for hops since the year 1855. The consequence of this large produce has been a depression in price, and a considerable agitation for repeal of the duty. With the sanction of the Treasury, the payments due in May and November, 1859, were allowed to be deferred, and to be made, as in the preceding year, by four quarterly instalments, or, if preferred, by two equal instalments, the first payment being postponed till November and the remainder till February, on security being given by a joint promissory note of the planter and one surety, such note bearing interest at four per cent.

Out of 6,300 hop planters 773 only availed themselves of the privilege of postponing the payment of the first moiety of the duty, their promissory notes amounting to the sum of 42,691*l*. Of these 479 entered into further security, and postponed the payment of the last moiety of their duty until February. The quantity of British-grown hops exported last year was only 545,383 lb.; whereas the quantity exported in the previous year was 4,177,251 lb. In the present year some relaxation also has been granted in the payment of the hop duty. The growers were allowed to pay one-half of the moiety of the duty due on the 16th May last, on their giving security for payment of the other half on the 16th August, with interest at five per cent. Few, however, of the growers have availed themselves of this privilege, as out of the sum of 299,673*l*. (the amount of the moiety due in May) 275,232*l*. has been paid, leaving only 24,441*l*. outstanding, and for which security has been given.

STAMPS.—Gross receipt in the years ended 31st of March, 1858-59, was 8,247,342*l*.; and for the year ended 31st March, 1860, 8,292,749*l*., viz.:—

	1859.	1860.
Deeds and other Instruments ... ..	£1,353,875	£1,390,966
Bills of Exchange and Promissory Notes ... ..	475,185	521,330
Bankers' Notes... ..	6,669	5,360
Composition for Bankers' Bills and Notes ... ..	61,104	67,459
Receipts and Draughts ... ..	443,574	411,435
Probates of Wills and Letters of Administration, and Testamentary Inventories ... ..	1,338,089	1,333,206
Legacy and Succession Tax ... ..	2,211,822	2,130,030
Fire Insurances ... ..	1,472,443	1,503,739
Marine Insurances ... ..	287,071	325,708
Patent Medicines ... ..	43,091	45,624
Cards and Dice ... ..	15,046	15,255
Probate Court Stamps ... ..	57,409	56,997
Licences and Certificates... ..	218,500	220,456
Gold and Silver Plate Duty ... ..	67,721	74,153
Newspapers ... ..	151,190	147,249
Law, Equity, Exchequer, and Chancery Fund (Ireland) ... ..	36,236	34,657
Admiralty Stamps ... ..	6,096	6,578
Divorce and Matrimonial Causes Stamps ... ..	2,221	2,557

PROBATE, LEGACY, AND SUCCESSION DUTY.—The amount of duty received for probates of wills and letters of administration in the year ended 31st of March, 1859, was 1,338,088*l*.; and for the year ended 31st of March, 1860, 1,333,206*l*. The amount of legacy and succession duty for the year ended 31st of March, 1859, was 2,211,819*l*.; and, in 1860, legacy, 1,528,245*l*., and succession, 601,775*l*. Total, 31st of March, 1859, 3,549,907*l*. 31st of March, 1860, 3,463,226*l*.

LAND AND ASSESSED TAXES.—The gross receipt, for the year ended [5]

31st of March, 1859, was 3,163,061*l*.; and for the year ended 31st of March, 1860, 3,241,107*l*.

	1859.	1860.
Land Tax ... ..	£1,135,677	£1,141,486
Inhabited Houses ... ..	763,941	796,910
Servants ... ..	193,397	198,297
Carriages ... ..	306,761	319,334
Horses ... ..	348,436	358,686
Dogs ... ..	191,769	193,671
Horse Dealers ... ..	13,757	14,139
Hair Powder ... ..	1,198	1,191
Armorial Bearings ... ..	53,583	55,411
Game Duty ... ..	139,242	145,971
Additional 10 per Cent. per Act, 3 Vict. c. 17 ... ..	15,300	16,011

**PROPERTY AND INCOME-TAX.**—The gross receipts for the year ended 31st March, 1859, was 6,812,232*l*.; and for the year ended 31st March, 1860, 9,789,483*l*. Schedule A, 1859, 3,188,038*l*.; 1860, 4,532,870*l*. Schedule B, 1859, 384,564*l*.; 1860, 549,509*l*. Schedule C, 1859, 741,087*l*.; 1860, 1,040,775*l*. Schedule D, 1859, 2,059,394*l*.; 1860, 3,012,935*l*. Schedule E, 1859, 439,149*l*.; 1860, 653,394*l*.

The income-tax for the year 1859-60 was 9*d*. in the pound. The original rate, that is, the rate fixed by law, previous to the financial measures of last year, was 5*d*., but an addition of 4*d*. was made by an Act passed in August, with a proviso that the whole of that addition should be collected on the payment of the first moiety of the tax. In the year ended 5th April, 1859, the annual value of property assessed under Schedule A amounts to 137,667,000*l*., and exhibits, in comparison with the assessment under that schedule for the year ended 5th April, 1858, an increase of 1,053,000*l*. This increase arises from an additional number of houses having been brought into assessment, and from improved returns under the heads of railways and mines. In England the improvement amounts to 945,000*l*.

The improvement in the assessment under Schedule A in Scotland for 1858-59, over that for the year 1857-58, amounts to 76,000*l*., and in Ireland the increase under the same schedule is 32,000*l*. The assessments for the year 1858-59 under Schedule D exhibit a very slight increase over those for the year 1857-58. The profits of trade on which income-tax was charged in each year were as follow:—In England, 1857-58, 73,107,000*l*.; 1858-59, 73,444,000*l*.: increase, 337,000*l*. In Scotland, 1857-58, 7,107,000*l*.; 1858-59, 6,780,000*l*.: decrease, 327,000*l*. In Ireland, 1857-58, 4,510,000*l*.; 1858-59, 4,587,000*l*.: increase, 77,000*l*. In the United Kingdom, 1857-58, 84,724,000*l*.; 1858-59, 84,811,000*l*.: net increase, 87,000*l*.

The increase in England arises principally in the assessments at the undermentioned places:—

#### SCHEDULE D.

	Assessment in the Year 1857-8.	Assessment in the Year 1858-9.	Increase.
	£	£	£
City of London ... ..	13,688,000	14,373,000	688,000
Manchester ... ..	3,589,000	3,614,000	25,000
Salford ... ..	405,000	441,000	36,000
Leeds ... ..	1,014,000	1,162,000	148,000

On the other hand, considerable decreases are to be noticed in the returns from the following places, having extensive commercial operations.

				Assessment in the Year 1857-9.	Assessment in the Year 1858-9.	Decrease.
				£	£	£
Liverpool	...	...	...	5,310,000	4,976,000	334,000
Hull	...	...	...	662,000	578,000	84,000
Newcastle	...	...	...	944,000	847,000	97,000
Bradford	...	...	...	898,000	819,000	79,000
Wakefield	...	...	...	718,000	696,000	22,000

If we are to judge from the cases which occasionally come under our notice, the amount of evasion of the duty under Schedule D must be very considerable. We may remind your lordships of one instance which we had occasion to mention in a report during the last year, the magnitude of which appeared very remarkable; the returns of the persons liable for the profits of their partnership having been for many years about 6,500*l.*, and the amount really chargeable, and on which duty was ultimately paid, being about 32,000*l.* per annum. In this case, too, there was no room for the excuse which is often made, that the acquiescence of the detected persons in an enormously increased charge was extorted from them on account of their reluctance to exhibit their accounts to the commissioners, the actual profits having been ascertained by our officers from inspection of the books of the firm, and with their voluntary assistance. We regret that no proceedings for penalties were instituted against these offenders. The officers who discovered that some evasion of duty had taken place thought it more important to obtain payment of the deficiency than to punish and expose the delinquents, and had agreed with them, before we heard of the case, that, in consideration of a full disclosure of their accounts, there should be no prosecution. We should not have taken this view of the subject, although the amount of duty recovered was considerable, and could not have been obtained by resort to legal proceedings; but we did not feel justified, after what had passed, in suing for penalties.

AN ACCOUNT showing the CONSUMPTION of HOME-MADE SPIRITS in England, Scotland, and Ireland respectively, in the year ended 31st March, 1860.

				Gallons.	Gallons.
<b>ENGLAND.</b>					
Spirits distilled in England on which duty was paid in England in the year ended the 31st March, 1860				...	6,824,613
Spirits imported from Scotland:—					
Under bond	...	...	...	3,394,509	
Duty paid	...	...	...	1,666,699	5,061,208
Spirits imported from Ireland:—					
Under bond	...	...	...	626,285	
Duty paid	...	...	...	779,602	1,405,887
					13,291,708

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	Gallons.	Gallons.
<b>ENGLAND—(continued).</b>		
Brought forward ... ..	...	13,291,708
Deduct—		
Spirits sent to Scotland ... ..	7,580	
" sent to Ireland ... ..	9,434	
" exported on drawback ... ..	278,310	
" methylated ... ..	92,355	
		387,679
Number of gallons retained for consumption in England ...	...	12,904,029
" " " 1858-9	...	11,860,196
<b>SCOTLAND.</b>		
Spirits distilled in Scotland on which duty was paid in Scotland, in the year ended 31st March, 1860 ... ..	...	7,428,090
Spirits imported from England:—		
Under bond ... ..	1,397	
Duty paid ... ..	7,580	
		8,977
Spirits imported from Ireland:—		
Under bond ... ..	372	
Duty paid ... ..	2,331	
		2,703
		7,439,770
Deduct—		
Spirits sent to England ... ..	1,666,699	
" sent to Ireland ... ..	17,921	
" exported on drawback ... ..	122,012	
" methylated ... ..	51,965	
		1,858,597
Number of gallons retained for consumption in Scotland ...	...	5,581,173
" " " 1858-9	...	5,324,875
<b>IRELAND.</b>		
Spirits distilled in Ireland on which duty was paid in Ireland, in the year ended 31st March, 1860... ..	...	5,748,390
Spirits imported from England:—		
Under Bond ... ..	89,867	
Duty paid ... ..	9,434	
		99,301
Spirits imported from Scotland:—		
Under bond ... ..	871,669	
Duty paid ... ..	17,921	
		889,590
		6,737,281
Deduct—		
Spirits sent to England ... ..	779,602	
" sent to Scotland ... ..	2,331	
" exported on drawback ... ..	181	
" methylated ... ..	4,976	
		787,040
Number of gallons retained for consumption in Ireland ...	...	5,950,241
" " " 1858-9	...	5,418,409

## PROPERTY AND INCOME TAX.

AN ACCOUNT showing the ANNUAL AMOUNT of PROPERTY and INCOME charged under each Schedule of the INCOME TAX ACT, for the Years ended 5th April, 1858 and 1859, and the AMOUNT of DUTY thereon.

SCHEDULES.					Year ended 5th April, 1858.			
					Amount of Property and Income charged in			Amount of Duty charged.
					England.	Scotland.	Ireland.	
					£	£	£	£
A	...	...	...	...	101,942,863	12,529,689	12,826,739	3,703,301
B	...	...	...	...	26,842,242	3,397,365	2,804,248	446,718
C	...	...	...	...	28,083,017	...	1,432,354	860,865
D	...	...	...	...	73,106,832	7,107,287	4,510,470	2,392,243
E	...	...	...	...	16,260,340	869,627	981,434	502,398
					246,235,294	23,903,968	22,555,245	7,905,525
					Year ended 5th April, 1859.			
					£	£	£	£
A	...	...	...	...	102,426,268	12,574,814	12,858,701	2,662,797
B	...	...	...	...	26,633,925	3,432,198	2,766,932	322,805
C	...	...	...	...	27,945,120	...	1,401,792	611,394
D	...	...	...	...	73,444,998	6,779,421	4,587,457	1,769,923
E	...	...	...	...	16,436,329	902,519	1,085,040	383,831
					246,886,640	23,688,952	22,699,922	5,750,750

## CUSTOMS.

*Fourth Report of the Commissioners of Her Majesty's Customs on the Customs.*

THE year 1859 has been one of great commercial prosperity. The absence of all disturbing or exciting causes at home or abroad, the concurrence of an abundant harvest with an equally abundant cotton crop, the cessation for a time of excessive speculation, and the direction of commercial enterprise into its more legitimate channels, have combined to produce an increase in exports exceeding those of any previous year in the history of our commerce, and of imports exceeding those of any year with the exception of 1857. Taking the returns only for the last three years, and bearing in mind that 1857 was a year when commercial operations reached a very unwonted limit, which, in consequence of the alarming crisis at its close, the export or import returns of the year 1858 could not attain, we shall not only find the recovery of our trade satisfactorily established, but shall have every reason to conclude that such recovery is based upon the soundest principles, and not likely to suffer from a corresponding reaction. Last year, while we had to record a falling off in the real value of our exports

SERIES A.

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of British and Irish produce in 1858, compared with 1857, from 122,000,000*l.* to 116,000,000*l.*, we at the same time directed your lordships' attention to the fact that in the latter quarters of the year the export trade exhibited a strong tendency to recover. These anticipations have been fully realized in the year just expired, and the value has exceeded the unprecedented amount of 130,000,000*l.* The exact figures are as follow:—1857, 122,066,107*l.*; 1858, 116,608,756*l.*; 1859, 130,440,427*l.*; showing an increase in 1859 of 6 per cent. over 1857, and of upwards of 11 per cent. over 1858. The real value of the exports of foreign and colonial merchandise for the same three years is as follows:—1857, 24,108,194*l.*; 1858, 23,174,023*l.*; 1859, 25,203,163*l.*

The real value of the imports, on the other hand, which we first succeeded in obtaining in 1854, has fully kept pace with that of the exports, when we compare 1859 with 1858; although the amount still falls short of that reached in 1857. They are as follow:—1857, 187,844,441*l.*; 1858, 164,583,832*l.*; 1859, 179,334,981*l.*

It would naturally be expected that, to prove the healthy and prosperous condition of the trade of the country, the values of imports and exports respectively, representing (to use a commercial term) the account current between our merchants and their customers abroad, should as nearly as possible balance each other; so that we should neither appear to receive more goods than we can afford to pay for, nor to supply more than are duly accounted for to us in return. We find, however, to take the past year as an example, that after deducting the value of the foreign articles imported and not consumed in this country (with respect to which, therefore, no liability can be incurred by us abroad, or, if incurred, is discharged by their re-exportation), from the total value of the imports, the remaining amount exceeds the value of the British produce exported by upwards of 23,000,000*l.*

Thus, real value of imports, 179,334,981*l.*; deduct, real value of foreign and colonial merchandize exported, 25,203,163*l.*; real value of imports to be consumed in this country, 154,131,818*l.*; real value of exports of British produce, 130,440,427*l.*: difference, 23,691,391*l.* The explanation of this discrepancy is, however, at once found in the fact that the value of the exports, as declared by the merchant here on shipment, necessarily excludes not only the charges for freight, insurance, shipping, and landing, incident to the conveyance of the goods to a foreign port, and their delivery there, but also the profit attendant on their transfer from one country to another, while the value assigned to the imports, on the other hand, being computed from the prices which the goods bear in this market, must include both the charges just enumerated and the profit realized by the importer. This consideration we deem quite sufficient to account for a difference not amounting to 13 per cent.

If we proceed to analyze the return of the quantities of goods imported, we find that there is an increase in ten out of thirteen principal articles. The importation of coffee has reached 65,353,029 lbs. against 60,697,265 lbs. in the previous year; of cotton (raw), 10,946,331 cwts. against 9,235,198 cwts.; of flax, 1,432,037 cwts. against 1,283,905 cwts.; of hemp, 1,088,249 cwts. against 882,110 cwts.; of raw silk, 9,920,891 lbs. against 6,277,576 lbs. Spirits show 11,056,671 gallons against 8,506,055 gallons, owing almost entirely to brandy, the importation of which, from having been in 1858 less than half the amount in 1857, has

risen again in 1859 to nearly double that amount; sugar (unrefined) shows 9,098,880 cwts. against 9,010,796 cwts; timber and wood goods, 2,729,507 loads against 2,332,492 loads; wine, the very large increase of 8,196,026 gallons against 5,791,636 gallons; and wool, 130,873,000 lbs. against 124,050,590 lbs.; of these, coffee, cotton, hemp, spirits, sugar, timber, and wool show also a large increase over the returns of 1857; while raw silk, wine, and flax have not yet again reached the amounts imported in that year. This is owing, no doubt, in the case of silk, to the trade with China not having quite recovered the hostilities of 1857-1858; in that of wine, to the power of production abroad not being yet sufficient to keep up the excessive importations of 1857, to which a powerful stimulus had been given by enhanced prices in consequence of the vine disease; and in that of flax, to the slow recovery of the crop in Russia.

The three articles in which there is a decrease are—1st, corn and flour, of which, owing to the abundant harvest in this country, there were only imported this year 9,221,167 quarters and 3,328,324 cwts. respectively, against 10,080,223 quarters and 3,856,127 cwts. in 1858; 2nd, tea, which shows only a small deficiency, easily accounted for by large stocks having remained on hand from the increased arrivals last year; the importations being 75,077,452 lbs. against 75,432,535 lbs., or a diminution of about 4 per cent.; 3rd, tobacco, which shows 50,671,264 lbs. against 62,217,705 lbs. in 1858, or a loss of 22 per cent., all in the unstemmed quality, such loss being owing to a scanty crop in America in 1858, while that of 1857 was unusually abundant. The returns of all these articles, however, are still largely in advance of those in 1857.

That the consuming power of the country, which must be taken as the test of the comfort and general well-doing of the population, has not diminished, will appear from the fact, that of all the principal articles, including others not hitherto mentioned, but which come under the head of provisions and necessaries of life, corn and coffee are the only two in which the quantities entered for home consumption have fallen off. To take the two articles we have last quoted as showing a decrease of importation, tea and tobacco: in 1858 there were entered for consumption, of tea, 73,217,484 lbs., of tobacco, 34,110,851 lbs.; while in 1859 the return is, of tea, 76,362,008 lbs., or an increase of 4 per cent., of tobacco, 34,791,261 lbs., or an increase of 2 per cent. In the same manner there is an increase in cocoa of 13 per cent., of raisins of 16 per cent., of lemons and oranges of 9 per cent., of currants of 2 per cent., of butter of 38 per cent., of cheese of 11 per cent. The consumption of spirits has risen 7 per cent., of sugar 1 per cent., and of wine  $8\frac{1}{2}$  per cent. The diminution we have mentioned in the import of corn has extended of course to the consumption; but the cause being, as we have above stated, the abundance of our own harvest, it is a fact rather to be rejoiced at than deplored. In coffee the difference may be attributed to the increase in tea, and to the extensive use of chicory in the adulteration of coffee, a practice about to be checked by the recent imposition of a duty on the raw article.

From all these facts it naturally follows that the customs revenue has very materially increased. From the return distinguishing the different articles, it will be seen that the total gross receipt of customs' duties in the United Kingdom in 1859 has reached the unparalleled amount of 25,065,065*l.* as compared with 24,155,852*l.* in 1858; showing an increase in the year of 909,213*l.*, more than half of which is contributed by the increase on

three articles, tea, wine, and brandy. The net receipt being divided into quarterly periods, presents the most comprehensive view of the prosperous and improving condition of our receipts; those in the last two quarters of the past year, although slightly under the amount realized in the second quarter, being still considerably in advance of the revenue produced in the last or any quarter of the year 1858.

The fluctuations of trade and revenue in the different ports of the United Kingdom show a large aggregate increase of revenue under each of these five heads of classification, making the total of 909,213*l.* given above. London, from the extended trade of the port, contributes the largest item; but the greatest improvement in the year, in proportion to the revenue collected, is shown by the ports of Scotland, and the smallest by Liverpool (notwithstanding a considerable increase in shipping), owing partly to diminished importations of corn and tea, and partly to the duties on so many goods imported there being paid at Manchester, where the receipt has risen in the year from 125,000*l.* to 189,000*l.* When we come to other individual ports, we find that there has been an increase of revenue in 51 ports in England, 20 in Scotland, and 20 in Ireland; total, 91; and, on the other hand, a decrease in 26 ports in England, 6 in Scotland, and 9 in Ireland; total, 41. Comparing the augmentation of expenditure in the year (which amounts for the whole of the United Kingdom to 9,233*l.*), with that of revenue, we find that, while the gross receipts have increased 3·7 per cent. additional charges have only been incurred to the amount of 1·2 per cent.

The prosperous condition of the trade of London during the past year, as shown in these returns, has given full occupation to the officers of the landing department, and has even occasioned a pressure, requiring their numbers to be continually reinforced by acting officers of a lower grade. The extended privileges granted from time to time by your lordships during the last ten years to wharfingers and warehousemen, occupying premises by the river-side, widely scattered through the port, and requiring the constant attendance of officers,\* together with the active and energetic competition constantly at work between them and the dock companies, have contributed very much to this result. So many additions have of late been made to the accommodation furnished to importers, by the construction of new warehouses, and the improvement of old ones, that the supply rather exceeds at present the actual requirements of the trade. This has naturally led to a reduction of warehouse and other rates, to which the rapid growth and low charges of the Victoria Docks have also greatly contributed. Both the London and St. Katherine's Dock Companies have in consequence lowered their charges to a considerable extent, and the increase of their business during the last six months of 1859 has proved the wisdom of the measure. The increase in the number of warehouses approved for the bonding of wines and spirits, involving a proportionate increase in the operations of vatting, racking, bottling, &c., and the practice lately sprung up of employing steamers in the fruit trade requiring to be discharged with unusual rapidity, have also added both to the attendance of the officers on the quays and in the warehouses, and to the clerical labour required to ensure correct accounts for duty.

\* At Red Lion wharf, approved in 1857, there were landed in the three months of June, July, and August, 1858, 3,940 cases of wines and spirits alone, and in the three corresponding months of 1859, 7,737 cases.

The system for assessing the differential duties on sugar in one central office, established in 1857, and referred to in our report of 1858, still continues to give great satisfaction to the trade, and has produced such perfect uniformity in the determination of the respective rates for duty, that we believe that in no one instance has a dispute arisen in the past year between the merchants and the officers, and all appeals to us have entirely ceased. The number of samples of different sorts, and the number of casks, boxes, and bags these samples represent, will show your lordships the amount of labour devolving on the landing officers on this account. Equal to refined (18s. 4d. duty), 7,005 samples; equal to white clayed (16s. duty), 15,668 samples; equal to brown clayed (13s. 10d. duty), 222,272 samples; not equal to brown clayed (12s. 8d. duty), 160,632: total, 405,577;—representing 203,706 casks, 181,665 boxes, and 1,373,746 bags: total packages, 1,759,117. The different waterside and warehousing operations performed by this department during the past year were:—Landing, 8,774,371 packages; Gauging, 1,348,073 packages; re-weighing and re-packing, 738,648 packages; timber, 16,985,886; searchers, 725,715 packages; baggage, 94,937 packages: total, 28,667,630 packages.

The practice of examining registered baggage from the Continent at London Bridge, which we explained fully to your lordships in our report of 1857, continues to afford convenience and give satisfaction to travellers. No complaint whatever has been addressed to us during the past year. The system of registration, which formerly applied to Paris, Cologne, and Brussels only, has been extended by the different railway companies to baggage to and from Berlin, Vienna, Dresden, Hamburg, and Hanover. Passengers are thus saved all trouble and delay at intermediate stations, and have only to submit to a detention at the end of the journey, seldom exceeding ten or fifteen minutes. The number of travellers has, owing to the disturbed state of Italy, rather fallen off, when compared with 1858. The return is as follows:—

Year.	Via Dover.				Via Folkestone.		Total.	
	From France.		From Belgium.		From France.			
	Passen.	Packages.	Passen.	Packages.	Passen.	Packages.	Passen.	Packages.
1858 ... ..	5,965	10,850	1,002	1,621	12,731	23,950	19,698	36,421
1859 ... ..	5,927	11,719	833	1,441	11,152	21,613	17,912	34,873

The number of transhipments continue to increase. We have introduced improvements into our regulations, by which the cost of transit is diminished and the operation itself simplified. Exporters now avail themselves of them even in the smallest shipments, and the Crown is saved the expense attending the warehousing of goods intended for immediate exportation. The number of transhipment entries in 1859, as compared with 1858, is as follows:—1858, 4,671; 1859, 5,804.

The business of the outward department generally has increased during the past year. Besides this addition to the transhipment entries, the number of Customs drawbacks have risen from 5,984 in 1858 to 6,637 in 1859, and the Excise from 13,849 to 15,366. These augmentations and the insufficiency of the offices appointed to this branch of the department rendered more accommodation necessary; and considering that the first

operation in the exportation of goods under bond, viz. that of giving the bond, is performed in the Long Room, we have removed the searchers' branch to spacious and conveniently arranged offices there, which have just been completed. By this means the public are now able to transact all the indoor business required in the exportation of goods in one part of the building, and both they and the clerks fully appreciate the change.

The alterations and improvements in the accommodation of the legal quays, tea and examiner's departments, which formed part of this arrangement for removing the searchers into the Long Room, and were sanctioned by your lordships' order of the 29th October last, are in course of completion; and we have every reason to believe that the advantage gained, both by the public and the clerks, will fully justify the outlay we recommended.

In the tea and East India department the business is still on the increase. It appears that the larger proportion of the tea imported into the United Kingdom is brought to the port of London, as stated in our last report; for, whilst in the year 1857 84 per cent. of the whole quantity came to that port, it reached 91 per cent. in 1859, and the percentage of duty collected there was raised from 54 in the former year to 58 in the latter. The duty-paid warrants as a matter of course increased, in proportion, to the number of 20,929, or 7 per cent. over 1857. But the most marked increase in the business of the department is exhibited by the quantity of tea removed under bond to other ports, and the number of letters of advice written in consequence. The quantities, which had risen from 13,720,965 lbs. in 1853 to 22,191,770 lbs. in 1857, have further increased to 25,524,213 lbs. in 1859, while the letters of advice, which were only 8,719 in 1853, were 17,031 in 1857 and 23,226 in 1859.

There has been also a steady increase in the business transacted in the office of the controller of accounts for the legal quays, as shown by the accompanying table, which gives the number of ships whose papers have passed through that department, and the number of documents prepared there:—For the year ended the 31st December, 1859—Over entries, 664; number of ships, 9,019; warehousing warrants, 25,143; home-consumption warrants, 100,263; exports warrants, 33,128; removals coastwise, 6,162; total, 174,378, against 138,229 in 1858 and 119,267 in 1857; showing an increase of ships and documents in 1858 over 1857 of 16 per cent., in 1859 over 1858 of 26 per cent.

The duties of the water-guard department grow in importance and responsibility with the rising trade of the port, and the constantly increasing demand for despatch in all mercantile operations, both inwards and outwards. The night duty performed by the tide surveyors in the river is arduous and attended with great exposure, besides requiring frequent changes of officers for the purpose of relief. Goods that have been duly cleared are shipped at all hours of the night, and applications are constantly made to discharge and load steamers, not only after the usual hours of business, but before and after daylight. As compared with 1858, however, the various returns show a slight decrease of labour in some particulars; thus, the number of vessels inwards upon which tidewaiters were boarded in 1858 was 11,223, and in 1859 only 10,819; outwards, 2,777 in 1858, and 2,320 in 1859; and some of the goods delivered by the tidewaiters show a similar falling off. Thus, of goods delivered by weight—1859, 321,097 tons; 1858, 520,969 tons. Of corn delivered by measure—1859,

2,848,077 quarters; 1858, 3,666,237 quarters. Of wood goods by numbers—1859, 699,018 pieces; 1858, 748,314 pieces.

The number of passengers also arriving by the river steamers in 1859 shows a slight falling off as compared with 1851, though the baggage brought by them is singularly in inverse proportion; thus 42,052 passengers, with 110,759 articles of baggage, arrived in 1858, and 40,988 passengers, with 113,315 articles, in 1859. We may here remark that this plan of the examination of passengers' baggage by the water-guard officers on board the steamers while coming up the river, first adopted by us in 1853, continues to be most successful in every way; two complaints only, one of which was proved to be entirely unfounded, having been made during the six years it has been in operation.

To proceed with the statistics: there are other returns that show a different result from those we have given above, viz. an increase in 1859 over 1858, some of which we think may be taken as the best criterion of the amount of labour devolving upon the officers. Thus the number of packages delivered was—Imports, 1858, 6,994,229; exports, 2,941,584. Imports, 1859, 8,217,624; exports, 3,016,533. The number of lighters conveying goods for exportation on which officers were boarded (technically termed charges) was, in 1858, 2,634; in 1859, 3,368; showing an increase of 734. Number of transhipment charges in 1858, 3,758; in 1859, 4,565; increase, 807. Number of packages of bonded stores examined by the tide surveyors on board vessels in 1858, 93,437; in 1859, 98,748. Number of night visits by the same officers in 1858, 3,584; in 1859, 3,647.

The number of foreign animals landed in the port of London during the past year, was as follows:—

Country.	Beasts.	Calves.	Sheep.	Lambs.	Pigs.
Germany ... ..	6,457	—	60,620	—	579
Denmark ... ..	20,036	—	14,378	937	12
Holland ... ..	16,691	15,942	154,333	9,714	6,010
Belgium ... ..	232	1,722	60	—	—
Spain ... ..	558	—	—	—	—
Portugal ... ..	1,922	—	—	—	—
France ... ..	170	434	507	—	406
	46,073	18,108	229,898	10,651	7,607

Since the appointment of veterinary surgeons to examine these importations in 1856, in pursuance of an order from the Privy Council dated the 28th of July in that year, great care has been taken by them, under the superintendence of our inspector-general, Mr. Harding, to prevent the introduction of diseased animals into this country. The number of animals slaughtered by our orders during the year 1859 has been 660 beasts, 37 calves, 177 sheep, and 54 pigs; of these there have been condemned as unfit for human food, 130 beasts, 19 calves, 38 sheep, and 20 pigs; and the remaining carcasses have been delivered to the owners as fit for consumption.

In March the appearance of a disease among cattle of a highly contagious character, named eczema, being a complaint in the mouth and feet, which has raged abroad, at intervals, since the year 1682, was first detected, and several cargoes of cattle from Hamburgh, one from Rotterdam, and two

from Oporto, were detained in consequence. Much controversy arose respecting the condition of these animals between the importers and our officers, but in all cases of dispute the judgment of our veterinary surgeons has been ultimately confirmed. This disease disappeared during the summer months, and but few animals affected with it were brought into the country in the latter part of the year. The sheep, the importation of which has largely increased, have been generally healthy, and the variola, or small-pox, prevalent among them in former years, appears to have entirely subsided, not one single case having occurred during the past year. We consider that the regulations at present in force are sufficient to protect the country from the importation of diseased animals. The purchase of beasts at a low price and in a diseased state abroad for transmission to and sale in this country (formerly a common practice), has been completely checked, and we are of opinion that it would not be advisable to relax the precautions at present taken in any respect.

The number of applications for the admission to entry of goods bearing British marks, on declaration by the importers that they have been so marked by the foreign manufacturer by their order and for their sole use, still continues to increase, having amounted this year to 221 in London, and 203 at the outports. The numbers in 1858 were 209 and 195 respectively, as stated in our last report. In 77 instances goods have been detained for undervaluation, and put up to sale in London in 1859. The return for 1858 was 41; and for 1857, 60. We have also sanctioned the amendment of entries to the value placed upon the goods by our officers in 208 cases in London, and 309 at the outports, against 200 in London and 374 at the outports in 1858.

The consumption of colonial wines, the great increase in which was adverted to in our last report, still keeps up at the rate which it had reached in 1858, there being even a further augmentation of 56,500 gallons, or nearly eight per cent. The consumption, however, of foreign wines, far from falling off in consequence, has during 1859 nearly reached the quantities shown in the return for 1856, and when compared with last year, as we have stated in a former part of this report, shows an increase of 565,819 gallons, or about 8½ per cent. We annex a table giving the comparison:—

Years.				Total Quantity entered for Consumption.	Produce of Spain, Portugal, and Madeira.	Produce of Colonies.
1856	...	...	...	7,365,874	5,533,393	355,075
1857	...	...	...	7,042,042	5,117,355	457,891
1858	...	...	...	6,697,224	4,611,953	729,429
1859	...	...	...	7,262,965	4,923,481	785,929

Since the failure of the wine crop in France the attempts to smuggle brandy into this country appeared to have almost entirely ceased till 1858, the price of the article being so high as to induce the exportation of large quantities of British spirit, for the purpose of being converted into brandy, and to deprive the smuggler of all chance of realizing his usual profit. The vines have now nearly recovered, and it would be natural to conclude that a corresponding stimulus would be given to the illicit trade in brandy. We

have, however, no reason to believe that smuggling transactions have been extensive or important. The coast-guard have made a few seizures from time to time, principally in the neighbourhood of Portsmouth and the Isle of Wight, but in no case has the number of tubs seized exceeded fifty. The largest quantity of tobacco of which a run has been known to be attempted was 890 lbs., from a vessel called the *Telegraph*, upon the Lincolnshire coast. This was discovered and seized by the coast-guard. The actual smugglers have been prosecuted and convicted, but we have failed in all our endeavours to discover the principals by whom they were employed. Two cases of ingenious concealment have been discovered by the Customs officers at Galway, one of upwards of 1,000 lbs. weight of tobacco in tin cases cleverly inserted in tierces of pickled pork, the other of 1,300 lbs. of snuff distributed through ten casks of flour. In the first two persons were concerned, and were both convicted, but in the second we have been unable to discover the guilty parties. The number of cases of concealment of dutiable goods in the baggage of passengers appears also, as we have already remarked, to be decreasing; though one flagrant instance has occurred on the part of a Dublin tradesman, in whose trunks jewellery was secreted to so large an amount as to realize 224*l.* when forfeited and sold. The smuggling of small quantities of tobacco and other stores from her Majesty's ships when in harbour has been considerably checked by the establishment by the Admiralty of a police in the royal dockyards, who have been furnished by us with deputations authorizing them to seize contraband goods. In 1850 we first adopted the plan of furnishing the constabulary with deputations in the county of Essex, and have since extended it to other maritime counties with the consent of the magistrates. The police of ten different counties of England and Wales are now armed with our commissions; and we have every reason to believe, though the seizures made have not been numerous, that the preventive effect of the measure has been good. With respect to the Belfast tea frauds which we brought under your lordships' notice in our annual report of 1858, we have taken proceedings against various persons for penalties and duties on account of teas abstracted by Moore which had been traced to their possession. In three cases, which have been tried, a verdict has been given for the defendants on the ruling of the Court of Exchequer; but the cases have been removed into the Court of Error, where they are still pending, in accordance with the opinion of the Attorney and Solicitor-General, who considered that the law laid down in the Court of Exchequer was erroneous.

We annex a continuation of the return given in our report last year of the gross receipt and net produce of the Customs revenue of the United Kingdom in the financial year, with the charges of collection thereon, and the rate per cent. of collection on the gross receipt and net produce respectively. This statement shows that, for the financial year ending the 31st of March, 1859, the gross revenue of customs amounted to 24,376,109*l.*, while the charge of collecting it was 838,203*l.*, or at the rate of 3*l.* 8*s.* 9*d.* per cent. The note appended to this statement shows that the expenses connected with the warehousing system are included in this amount. We think no argument is necessary to show that, the warehousing system being not in any way accessory to the collection of the revenue, but being simply a postponement of the just dues of the Crown for the advantage of the merchant, the expense attending it, which amounted in the year to 213,995*l.*, should properly be excluded from this account. In commenting on this

SERIES A.

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account, the commissioners showed that such account ought not to include the cost incurred by the various extraordinary duties not in any way appertaining to the collections of the revenue performed by the Customs' officers, both in London and at the outports, and imposed upon them in consequence, for the most part, of their local connection with their legitimate waterside operations, such as, first, the collection and registration of mere statistics; secondly, survey of tonnage, registration of shipping, collecting light dues, administration of Alien Act, &c., amounting, in all, to 291,695*l.*, and so reducing the cost of collection to 546,695*l.*, which, on a gross revenue of 24,376,169*l.*, is 2*l.* 4*s.* 10*d.*, or rather less than 2½ per cent.

The state of health of the out-door department in the port of London, including the officers of the waterside and water-guard force, during the past year, has been good above the average, as will be seen by the report of our medical inspector, which we annex. The number of men daily on the sick-list was in the water-guard rather below, and in the waterside slightly above, the average of the last twelve years, but only amounted to 20 out of a strength of 838 in the one, and to 6 out of a strength of 451 in the other department. The number of deaths in the whole force in the year were only 17 out of 1,299 men, or about 13 per 1,000; and if the deaths by accident (4) are withdrawn from the account, were only 13 out of 1,299, or about 10 per 1,000; while the average mortality of the male population of London between the ages corresponding to those of the Custom House officers is 20 per 1,000. We cannot speak too highly of the skill, assiduity, and intelligence displayed in the discharge of his duties by Dr. M'William. Before concluding this report we feel called upon to advert to the great and important changes which will be effected in the duties, position, and prospects of the officers of this department by recent legislation. The abolition of the silk duties in particular will naturally put an end to the employment of a numerous class of officers specially selected, from their superior intelligence and qualifications, to perform functions requiring no small amount of tact, temper, and patience, together with a power of discrimination and an intimate acquaintance with the law, only to be gained by long experience. On the other hand, without wishing prematurely to express an opinion upon the operation of these measures, we do not anticipate that the increased labour that may devolve upon the officers of this department, in consequence of any of the new enactments, will be of such a nature as to require the employment of men of this superior class; but see that, on the contrary, as will naturally be expected, both by the Government and the public, the substitution of ordinary for extraordinary services will necessarily involve a great reduction of expense, by the employment of officers of a lower grade and in receipt of far lower salaries.

Your lordships may rely upon our strictly keeping in view this object in all the arrangements consequent upon the changes in the tariff; and we feel sure that if in doing so we recommend to her Majesty's Government, as deserving of the most liberal consideration, the names of meritorious officers, upon whom these changes must fall with great and unprecedented severity, we shall in all cases receive the sanction and support of your lordships.

The report was signed by Sir T. F. Fremantle, F. Goulburn, E. Saurin, G. C. L. Berkeley, W. R. Greg, R. W. Grey.

A STATEMENT showing the GROSS RECEIPT and NET PRODUCE of the CUSTOMS REVENUE of the UNITED KINGDOM in each Year from 1849 to 1859, with the CHARGES of COLLECTION thereon, and the Rate per Cent. of COLLECTION on the GROSS RECEIPT and NET PRODUCE respectively.

Years.	Gross Receipt.	Net Produce after deducting Drawbacks, Bounties, Repayments on Over-entries, &c.	Charges of Collection.	Rate per Cent. of Collection.	
				On the Gross Receipt.	On the Net Produce.
	£	£	£	£ s. d.	£ s. d.
1849 ... ..	22,483,956	22,268,864	1,301,727	5 15 9	5 16 11
1850 ... ..	22,194,142	22,019,784	1,283,805	5 15 8	5 16 7
1851 ... ..	22,373,662	22,197,075	1,290,756	5 15 4	5 16 4
1852 ... ..	22,312,514	22,137,120	1,268,422	5 13 8	5 14 7
1853 ... ..	22,737,284	22,515,913	1,302,721	5 14 7	5 15 9
Years ended March 31					
1855 ... ..	22,245,118	21,991,675	1,236,088	5 11 2	5 12 5
1856 ... ..	23,481,818	23,213,797	1,257,248	5 7 1	5 8 4
1857 ... ..	23,959,528	23,488,136	1,107,654*	4 12 5	4 14 4
1858 ... ..	23,603,770	23,275,743	843,757*	3 11 6	3 12 6
1859 ... ..	24,376,169	23,998,380	838,203*	3 8 9	3 9 10

## INCOME TAX.

*Return of the net Assessment of Property to the Income Tax under Schedule A, and of Profits of Farmers under Schedule B, and of Trade under Schedule D, for England and for Scotland respectively, for the years 1842, 1853, 1857-58, denoting also the increase per cent. under each Schedule in Scotland and England separately for the period between 1842 and 1853 and the period between 1853 and 1857-58. (Mr. Stanhope). March 6th, 1860. (136).*

In England the net amount of property assessed to income-tax under Schedule A, in 1842, was, 76,505,142*l.*; in 1852-53, 91,312,319*l.*; and in 1857-58, 101,942,863*l.*; showing an increase between 1842-3 and 1853-54 of 19 $\frac{3}{100}$  per cent. and between 1853-54 and 1857-58 of 11 $\frac{4}{100}$  per cent. Under Schedule B, the property assessed in 1842-43 was 10,601,108*l.*; in 1852-53, 12,417,644*l.*; and in 1857-58, 13,440,158*l.*; showing an increase between 1842-43, and 1853-54, of 17 $\frac{1}{100}$  per cent., and between

\* NOTE.—*Charges of Collection.*—Under the head of Charges of Collection the foregoing return exhibits, for each year, the aggregate sum which was shown, under the same designation, in the accounts of the customs income and expenditure rendered to Parliament for that year. The rule observed in the separation of charges of collection from other expenses paid out of the revenue has not, however, been uniform throughout the period which this return embraces. It has varied chiefly in these particulars:—1st, that since 5th April, 1854, the charges of collection have included the expenses of the warehousing department, which were previously carried to a separate account as payments for national objects. 2ndly, that the expenses of the coast-guard, heretofore borne by the revenue of customs, and classed with charges of collection, have, since 1st October, 1856, been defrayed by the Admiralty; and 3rdly, that the superannuation allowances granted to retired officers of the customs, which were brought to account among the charges of collection until 5th April, 1854, have, from that date, ceased to be so treated, and are now separately voted by Parliament.



AN ACCOUNT of the BALANCES of the PUBLIC MONEY remaining in the EXCHEQUER on the 30th day of June, 1859; the Amount of Money raised by the Additions to the FUNDED or UNFUNDED DEBT in the Year ended the 30th day of June, 1860; the Money applied towards the Redemption of the Funded or paying off Unfunded Debt; the Total Amount of Advances and Repayments on account of Local Works, &c.; with the Difference accruing thereon, and the Balances in the Exchequer on the 30th day of June, 1860.

	£	s.	d.	ISSUED:	£	s.	d.
Balances in the Exchequer on the 30th June, 1859...	5,016,927	14	2	Amount applied to the Reduction of Funded Debt.	26,344	3	7
Money raised in the Year ended 30th June, 1860:—				To the Paymaster-General, in Exchequer Bills, to exchange Exchequer Bills (Supply) ...	13,179,300	0	0
Exchequer Bills:—				In Money, out of Ways and Means Grants, to pay off Exchequer Bills (Supply)	67,000	0	0
In part of Grant of 13,277,400 <i>l.</i> per Act 22 Vict. c. 23, and dated 12th March, 1860	5,958,700	0	0	Balances in the Exchequer on the 30th June, 1860 ...	6,594,771	5	4
Do. do., 12th June, 1860.	7,220,600	0	0				
Excess of Repayments over Advances for Purchase of Bullion and for Local Works ...	759,019	4	2				
Excess of Income over Expenditure ...	912,168	10	7				
	19,867,415	8	11		19,867,415	8	11

## PUBLIC INCOME AND EXPENDITURE.

1.—AN ACCOUNT of the GROSS PUBLIC INCOME of the UNITED KINGDOM of GREAT BRITAIN and IRELAND, in the Year ended the 30th day of September, 1860, and of the actual Issues or Payments within the same Period, exclusive of the Sums applied to the Redemption of Funded or paying off Unfunded Debt, and of the Advances and Repayments for Local Works, &c. (Lord Monteagle of Brandon.) February 8th, 1861. (17.)

INCOME.	£	s.	d.	EXPENDITURE.	£	s.	d.
Customs ...	23,896,394	16	3	Interest of Debt:—			
Excise ...	20,070,000	0	0	Interest and Management			
Stamps ...	8,267,257	14	4	of the Permanent Debt	23,754,678	6	6
Taxes (Land and Assessed)	3,257,000	0	0	Unclaimed Dividends paid	126,514	14	7
Property Tax ...	10,309,816	7	9	Terminable Annuities ...	3,353,687	10	11
Post Office ...	3,370,000	0	0	Interest of Exchequer			
Crown Lands (Net) ...	289,568	4	7	Bonds, 1855, &c. ...	100,000	0	0
Miscellaneous:—				Exchequer Bills, Supply.	300,880	2	6
Produce of the sale of Old Stores, and other Military and Naval extra Receipts ...	805,676	16	6	Exchequer Bills, Deficiency ...	1,449	13	9
Money received from the Revenues of India for Retired Pay, &c., per Act iv. Geo. IV. c. 71...	60,000	0	0	Charges on Consolidated Fund:—			
Miscellaneous Receipts, including Imprest and other Moneys ...	423,997	14	7	Civil List ...	403,497	10	0
Unclaimed Dividends received ...	63,879	9	9	Annuities and Pensions .	349,926	3	0
Amount received from Spanish Government, in discharge of their Debt for War Stores supplied in the Years 1854–8 ...	496,385	0	0	Salaries and Allowances	156,337	19	2
Total Revenue ...	70,809,976	3	9	Diplomatic Salaries, &c. .	168,878	10	6
Excess of Expenditure over Income in the Year ended 30th September, 1860 ...	1,335,856	1	11	Courts of Justice ...	700,233	1	1
	72,145,832	5	8	Miscellaneous Charges on the Consolidated Fund	178,810	7	5
				Drawback on Wine (23 Vict. c. 22) ...	284,000	0	0
				Supply Services:—			
				Army ...	14,104,176	4	2
				Navy (including Packet Service to 31st March, 1860) ...	12,591,668	3	11
				Miscellaneous Civil Services ...	7,645,488	11	2
				Salaries, &c., of Revenue Departments ...	4,513,652	7	0
				Packet Service from 1st April, 1860 ...	460,000	0	0
				Operations in China ...	2,951,953	0	0
				Total Expenditure ...	72,145,832	5	8

2.—AN ACCOUNT of the BALANCES of the PUBLIC MONEY remaining in the EXCHEQUER on the 30th day of September, 1859; the Amount of Money raised by Additions to the Funded and Unfunded Debt in the Year ended the 30th day of September, 1860; the Money applied towards the Redemption of Funded or paying off Unfunded Debt; the Total Amount of Advances and Repayments on account of Local Works, &c., with the Difference accruing thereon, and the Balances in the Exchequer on the 30th day of September, 1860.

	£	s.	d.	ISSUED :	£	s.	d.
Balances in the Exchequer on the 30th September, 1859 ... ..	4,623,657	19	10	Applied to the Reduction of Funded Debt ... ..	23,838	14	5
Money raised in the Year ended 31st Sept., 1860.				To the Paymaster-General:—			
Funded Debt :—Nil.				In Exchequer Bills, to exchange Exchequer Bills (Supply) ... ..	13,179,300	0	0
Unfunded Debt :—				In Money, out of Ways and Means Grants, to pay off Exchequer Bills (Supply) ... ..	47,300	0	0
Exchequer Bills (Supply) in further part of Grant of 13,277,400l. per Act 22 Vict. c. 22, dated 12th March, 1860 ...	5,958,700	0	0	Excess of Expenditure over Income in the Year ended 30th September, 1860 ...	1,335,856	1	11
Ditto, in part of Grant of 13,230,000l., per Act 23 Vict. c. 20, dated 12th June, 1860 ...	7,220,600	0	0	Balances in the Exchequer on the 30th September, 1860 ... ..	3,927,971	4	0
Excess of Repayments over Advances for the Purchase of Bullion and for Local Works ... ..	711,308	0	6				
	18,514,266	0	4		18,514,266	0	4

## PUBLIC INCOME AND EXPENDITURE.

1.—AN ACCOUNT of the GROSS PUBLIC INCOME of the UNITED KINGDOM of GREAT BRITAIN and IRELAND in the Year ended the 31st day of December, 1860, and of the actual Issues or Payments within the same Period, exclusive of the Sums applied to the Redemption of Funded or paying off Unfunded Debt, and of the Advances and Repayments for Local Works, &c. (Lord Monteagle of Brandon.) February 8th, 1861. (17.)

INCOME.				EXPENDITURE.			
	£	s.	d.		£	s.	d.
Customs ... ..	23,032,394	16	3	Interest of Debt:—			
Excise ... ..	19,069,000	0	0	Interest and Management of the Permanent Debt	23,746,978	1	8
Stamps ... ..	8,285,257	14	4	Unclaimed Dividends paid	142,114	3	5
Taxes (Land and Assessed)	3,126,000	0	0	Terminable Annuities ...	2,541,197	12	6
Property Tax ... ..	12,901,816	7	9	Interest of Exchequer Bonds, 1855, &c. ...	100,000	0	0
Post Office ... ..	3,420,000	0	0	Interest of Exchequer Bills, Supply ... ..	300,880	2	6
Crown Lands (Net) ...	289,568	4	7	Interest of Exchequer Bill, Deficiency ...	2,299	13	9
Miscellaneous:—				Charges on Consolidated Fund:—			
Produce of the Sale of Old Stores and other Military and Naval extra Receipts ...	802,367	17	11	Civil List ... ..	403,585	0	0
Money received from the Revenues of India, for Retired Pay, Pensions, &c., per Act iv. Geo. IV. c. 71 ... ..	60,000	0	0	Annuities and Pensions .	347,538	10	0
Miscellaneous Receipts, including Imprint and other Monies ... ..	420,825	4	1	Salaries and Allowances .	156,264	9	1
Unclaimed Dividends, received ... ..	63,879	9	9	Diplomatic Salaries and Pensions ... ..	168,553	11	7
				Courts of Justice ...	701,530	3	4
				Miscellaneous Charges on the Consolidated Fund	178,426	7	2
				Drawback on Wine (per Act 23 Vict. c. 22) ...	284,000	0	0
Carried forward ...	71,471,109	14	8	Carried forward ...	29,073,367	15	0

	£	s.	d.		£	s.	d.
Brought forward ...	71,471,109	14	8	Brought forward ...	29,073,367	15	0
Amount received from Spanish Government, in discharge of their Debt, for War Stores supplied in 1834-8 ...	496,385	0	0	Supply Services:—			
Total Revenue ...	71,967,494	14	8	Army ...	14,168,621	4	2
Excess of Expenditure over Income in the Year ended 31st December, 1860 ...	611,137	11	10	Navy (including Packet Service to 31st March, 1860) ...	12,991,668	3	11
				Miscellaneous Civil Services ...	7,808,620	8	0
				Salaries, &c., of Revenue Departments ...	4,509,401	15	5
				Packet Service, from 1st April, 1860 ...	725,000	0	0
				China, Naval and Military Operations ...	3,301,953	0	0
	72,578,632	6	6	Total Expenditure ...	72,578,632	6	6
				For Redemption of Exchequer Bonds (see Account No. 2 below).			

2.—AN ACCOUNT of the BALANCES of the PUBLIC MONEY remaining in the EXCHEQUER on the 31st day of December, 1859; the Amount of MONEY raised by Additions to the FUNDED and UNFUNDED DEBT in the Year ended the 31st day of December, 1860; the Money applied towards the Redemption of Funded or paying off Unfunded Debt; the Total Amount of Advances and Repayments on account of Local Works, &c., with the Difference accruing thereon, and the Balances in the Exchequer on the 31st day of December, 1860.

	£	s.	d.	ISSUED:	£	s.	d.
Balances in the Exchequer on the 31st December, 1859 ...	5,380,227	17	1	Applied to the Reduction of Funded Debt, 24,250l. 18s. 2d.; Unfunded Debt and Exchequer Bonds, 1,000,000l....	1,024,250	18	2
Money raised in the Year ended 31st December, 1860:—				To the Paymaster-General:—			
Funded Debt:—Nil				In Exchequer Bills, to exchange Exchequer Bills (Supply) ...	13,179,300	0	0
Unfunded Debt:—				In Money, out of Ways and Means Grants, to pay off Exchequer Bills (Supply) ...	46,900	0	0
Exchequer Bills (Supply) in further part of Grant of 13,277,400l. per Act 22 Vict. c. 22, dated 12th March, 1860 ...	5,958,700	0	0	Excess of Expenditure over Income in the Year ended 31st December, 1860 ...	611,137	11	10
Ditto, in part of Grant of 13,230,000l. per Act 23 Vict. c. 20, dated 12th June, 1860 ...	7,220,600	0	0	Balances in the Exchequer on the 31st December, 1860 ...	5,250,391	10	10
Exchequer Bonds (Series G), per Act 23 and 24 Vict. c. 132, dated 8th November, 1860, payable 8th November, 1864 ...	1,000,000	0	0				
Excess of Repayments over Advances for the Purchase of Bullion and for Local Works ...	552,452	3	9				
	20,111,980	0	10		20,111,980	0	10

## PROPERTY AND INCOME TAX.

A RETURN of the TOTAL GROSS AMOUNT of PROPERTY ASSESSED in the UNITED KINGDOM under the PROPERTY and INCOME TAX ACTS, in each Year, commencing with the Year ending 5th April, 1843, up to the present Time; the Net Amount on which Duty is charged; the Amount of Duty charged; the Net Receipt within the financial Year (ending 5th April, 1843, to 1854, and 31st March, 1855, and following Years), after deducting Repayments, &c., but including the Costs of Collection; the Amount paid into the Exchequer; the Arrears remaining to be collected at the close of each financial Year; and the Rate of Duty. (Lord Overstone.) May 10th, 1860. (165.)

Year ending 5th April.	Gross Amount of Property assessed.	Net Amount of Property assessed.	Amount of Duty charged.	Net Receipt within the Year, after deducting Repayments, &c.	Amount paid into the Exchequer.	Arrears remaining to be collected.
	£	£	£	Years ending 5th January.		
1843	251,013,003	204,459,558	5,608,548	582,038	571,055	4,800,000†
1844	243,729,662	200,608,545	5,504,157	5,387,455	5,249,260	4,700,000†
1845	244,297,260	199,512,707	5,476,497	5,329,601	5,191,596	4,700,000†
1846	252,961,094	207,914,722	5,711,224	5,182,649	5,026,570	5,000,000†
1847	254,621,203	210,301,337	5,791,067	5,543,682	5,395,390	5,000,000†
1848	256,418,354	211,730,708	5,834,795	5,612,654	5,450,800	5,000,000†
1849	259,214,593	210,691,865	5,793,543	5,485,164	5,347,364	5,100,000†
1850	256,131,739	208,292,358	5,729,577	5,564,833	5,408,159	5,000,000†
1851	257,396,560	208,940,579	5,754,447	5,510,860	5,383,036	5,000,000†
1852	259,458,651	211,699,082	5,845,719	5,440,350	5,304,923	5,100,000†
1853	262,370,414	212,347,187	5,869,826	5,652,770	5,509,637	5,000,000†
1854	308,317,656	265,582,760	7,133,039	8,499,479*	8,269,535*	8,100,000*
				Years ending 31st March.		
1855	307,000,457	266,570,157	14,358,090	10,922,267	10,642,620	6,100,000†
1856	307,068,898	268,338,109	16,545,508	15,159,457	15,070,958	7,100,000†
1857	313,056,427	274,114,023	16,915,332	16,050,670	16,089,933	7,400,000†
1858	327,138,852	292,694,508	7,905,525	11,396,435	11,586,114	3,600,000†
1859	327,735,942	292,275,514	5,750,750	6,610,012	6,683,586	2,400,000†
1860	328,200,000†	293,700,000†	10,000,000†	9,666,142	9,596,105	2,400,000†
1861	328,700,000†	294,200,000†	11,200,000†	10,900,000	10,800,000†	2,500,000†

The rates of duty were as follows:—In the year ended 5th January, 1842-1853, 7d. in the pound on all incomes of 150l. a year and upwards. In the year ended 5th January, 1854, and in the quarter ended 5th April, 1854, 7d. in the pound, on incomes of 150l. a year and upwards; and 5d. in the pound on incomes of 100l. and under 150l. a year. In the year ended 31st March, 1855, 1s. 2d. on incomes of 150l. a year and upwards, and 10d. in the pound on incomes of 100l. and under 150l. a year. In the years ended 31st March, 1855, and 1856, 1s. 4d. in the pound on incomes of 150l. a year and upwards, and 11½d. in the pound on incomes of 100l. and under 150l. a year. In the year ended 31st March, 1858, 7d. in the pound on incomes of 150l. a year and upwards, and 5d. in the pound on incomes of 100l. and under 150l. a year. In the year ended 31st March, 1859, 5d. in the pound on all incomes of 100l. a year and upwards. In the year ended 31st March, 1860, 9d. in the pound on incomes of 150l. a year and upwards, and 6½d. in the pound on incomes of 100l. and under 150l. a year. And in the year ended 31st March, 1861, 10d. in the pound on incomes of 150l. a year and upwards, and 7d. in the pound on incomes of 100l. and under 150l. a year.

\* For one year, ended 31st January, 1854; and one quarter, ended 5th April, 1854.

† Estimated amounts.

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## MERCHANT SHIPPING.

*Report from the Select Committee appointed to inquire into the State of Merchant Shipping, the Operation of the Burdens and Restrictions especially affecting Merchant Shipping; and of the following Statutes: (9 and 10 Vict., c. 93), an Act for compensating the Families of Persons killed by accidents, the Merchant Shipping Act (1854), the Merchant Shipping Amendment Act (1855), the Passenger Act (1855), and the Chinese Passenger Act (1855).*

THE Committee was formed on the 31st January 1860, and on the 10th February the following members were nominated, viz., Mr. Milner Gibson, Lord Lovaine, Mr. Cardwell, Mr. Thomas Baring, Mr. Crawford, Mr. Horsfall, Mr. Francis Baring, Mr. Somes, Mr. Gore Langton, Mr. Bentinck, Mr. Wilcox, Mr. Liddell, Mr. Dalglish, Mr. Francis Russell, Mr. Hugh Taylor, Mr. Alderman Salomons, and Mr. Lindsay. The Committee sat twenty-seven days, and on the 7th August 1860, they reported as follows:—

Your Committee in prosecution of their inquiries, have examined numerous persons residing in London, and the outports, connected with the shipping interests, many of whom are extensively engaged in the home, colonial, and foreign trades. Your Committee have also deemed it necessary to call before them several officers in the various departments of her Majesty's Government, and others representing two of the corporations which exercise taxing powers affecting shipping, to elucidate the subjects with which they are respectively acquainted. Your Committee have endeavoured to obtain information impartially upon the various important questions which it is now their duty to bring under the notice of your Honourable House.

Parliament, during the last quarter of a century, having sanctioned vast changes in the laws affecting commerce, determined in the year 1849 to abrogate the then existing Navigation Laws. These laws, which during a long interval protected our merchant shipping, were totally and unconditionally repealed by the Act 12 & 13 Vict. c. 29. In the Navigation Laws Repeal Bill, as originally introduced by Mr. Labouchere, now Lord Taunton, it was proposed to throw open the coasting trade of the United Kingdom. The Government of the United States having, however, officially notified their refusal to reciprocate this concession, and some objections having been raised by the department of Customs, because of the difficulty of enforcing effectual regulations to guard the revenue from danger, the clauses relating to the coasting trade were withdrawn; but in 1854 (by Act 18 & 19 Vict. c. 7) that trade was unconditionally thrown open. The only reservation made in these important Acts, as afterwards embodied in the 324th and 325th sections of the 16 & 17 Vict. c. 107, was, that the Crown was empowered, "if it shall be made to appear to her Majesty that British vessels are subject in any foreign country to any prohibitions or restrictions as to the voyages in which they may engage, or as to the articles which they may import into or export from such country, it shall be lawful for her Majesty (if she think fit), by Order in Council, to impose such prohibitions or restrictions upon the ships of such foreign country, either as to the voyages in which they may engage, or as to the articles which they may



import into or export from any part of the United Kingdom, or of any British possession in any part of the world, as her Majesty may think fit; so as to place the ships of such country on as nearly as possible the same footing in British ports, as that on which British ships are placed in the ports of such country."

Having thus opened our ports to the unrestricted competition of all nations, it appears that although many countries have in return thrown open their ports to English shipping, there are others that have hitherto refused to reciprocate. France, Spain, Portugal, and Belgium belong to the latter class; and the United States decline to allow British ships to participate in their extensive coasting trade, on both the Atlantic and Pacific seaboard. As regards France, under the treaty of 1826 British and French ships are placed on a footing of equality in the direct trade between the two countries; but even in that trade our ships are subjected to higher dues than the shipping of other foreign countries in their direct intercourse with France, which must arise from the fact that those countries have secured in their treaties of reciprocity more favourable conditions than we have done. In the indirect foreign trade, and especially in the colonial trade, British ships continue to labour under disabilities so serious that they are practically excluded from these trades; and they are wholly excluded from the coasting trade of France and of Algeria. Although in Spain differential tonnage dues have been removed, an excess of twenty per cent. is still charged on all goods, except coals, imported in foreign ships in the direct and indirect trade, so that British shipping is practically excluded from the carrying trade of Spain and her colonies. In some respects, British ships are more advantageously placed in the trade with Portugal; but they are not allowed, even in the direct trade with that country, to import from England any goods other than the produce of this country and of our colonies. They are also entirely excluded from the coasting and intercolonial trades, and are subject to heavy discriminating duties in the indirect trade. Belgium persists in levying a differential duty on salt when imported in British vessels. Existing treaties with the government of the Netherlands place the ships of England ostensibly on the same footing as Dutch vessels; but practically, in consequence of the regulations of the Dutch East India Company, whose privileges were expressly reserved by treaty, we are excluded from the trade of the Spice Islands; and the same treaty allows double differential duties to be levied in the Dutch ports of the Eastern seas.

The coasting trade is still withheld from British ships in the following countries, where it is reserved for the national flag: France, Papal States, Two Sicilies, Russia, Austria, Spain, Portugal, Greece, Mexico, Peru, Chile, Brazil, La Plata, Venezuela, and Hayti. The United States of North America not only shut out British vessels from the carrying of goods in the vast coasting trade of their Atlantic and Pacific seaboard, but British vessels running between New York and Aspinwall, and between Panama and San Francisco, are denied the privileges enjoyed by the American national flag; thus the indirect carrying trade to the western coast of the United States, is to a very great extent, practically confined to American shipping. As regards British colonial possessions, the coasting trade has been thrown open to foreign vessels in the British East Indies, Ceylon, the Cape of Good Hope, and Victoria, with the consent of the Queen in Council; but the coasting trade of our North American Colonies

is still confined to British vessels. Foreign ships are, however, permitted to carry on the intercolonial trade with our various colonial possessions.

All the witnesses examined before your Committee consider our condition, with reference to the laws which regulate international intercourse between France, Spain, Portugal, and the United States of America, as most unsatisfactory. They all concur in representing that during the last three years the merchant shipping of the United Kingdom, which for many ages was deemed an important element of our national wealth and power, has been in a state of great depression; and in the struggle of competition, to which British shipowners are now exposed with foreigners, they view with the greatest jealousy the restrictions still imposed by foreign nations upon our shipping. In the home, colonial, and foreign trades, the rate of freights has been for a long time wholly unremunerative. Steamship proprietors, in some branches of trade, especially in the Mediterranean, appear, indeed, to carry on their business profitably; but all classes of shipowners give vent to deep complaints of that which they describe as "the unfair competition" which they have to encounter with non-reciprocating nations. Many shipowners further complain of the responsibility cast upon them by the statutory enactments of recent years, especially of some of the provisions of the Passengers' Act, and the liabilities imposed by the Merchant Shipping Act of 1854. The burden of passing tolls, and the unequal and onerous charges for lights and pilotage, with the vexatious and anomalous regulations which are enforced by numerous pilotage authorities, in various parts of the United Kingdom, have been the subjects of complaint; and various minor regulations, embraced in recent legislative enactments, the policy of which has been more or less questioned by parties interested, constitute petty grievances which, it is alleged, harass the shipowner in the prosecution of his business. Dispirited by long-continued stagnation in the general trade, and by the apprehension of the total loss of their capital, many of the suffering classes ascribe no little portion of their present distress to the unconditional repeal of the Navigation Laws; while others feel the severity of competition with steam-vessels, which are fast superseding sailing-vessels in various branches of trade, more particularly in those voyages where the stock of coal can be easily and cheaply replenished.

The colliers on the east coast, perhaps more than any other class, suffer from the effects of the changes which science and steam are now producing in the seaborne traffic of the kingdom. One-fourth of the whole coal coasting trade is now carried on by means of steam-vessels; and as it is said that one steamer can accomplish as much work as five sailing-ships, the relative increase of steamers, built in the port of Sunderland alone, since 1852—at which time there were no steamers whatever engaged in trade at that port, assuming that they had all been employed in the coal coasting trade of the kingdom—must have displaced the enormous number of 4,000 ships, each of 250 tons capacity. These inevitable results of the progress of science, however productive of transient injury to individuals, are unquestionably beneficial to the general interests of the country, and are admitted to be beyond the reach or province of legislation. This diminution of a carrying trade which, up to a recent period, had been extensively carried on by sailing-vessels, has, however, been concurrent with compensating advantages in new channels of traffic, created by steam navigation. It appears that, however much the competition of steam propulsion, and the transition of capital from one branch to another, may have interfered with

sailing-ships employed in carrying coals coastwise, the requirements—for instance, of the Peninsular and Oriental Company for the supply of coals for their different depots in distant parts of the world—have created an enormous demand for sailing tonnage. The above-named company alone gives employment annually to 530 vessels, averaging 636 tons each, navigated by 13,000 seamen. Other important steam navigation companies in like manner necessarily require incessant supplies of coal commensurate with their wants abroad; and it is therefore contended that practically, from the number of vessels employed in the conveyance of coals, not a single ton of the sailing shipping of the kingdom has been displaced by the introduction of steam navigation, as it has created an immense incidental traffic indispensable to its own support.

In all cases where steam vessels have occupied the lines of passenger or goods traffic, or both combined, a vast development of the carrying trade has resulted, whatever share in this increase steam vessels or sailing vessels may have competitively gained.

But the transition thus in progress affects seriously the relative employment of sailing as against steam vessels in the short voyage trade, and in those lines where costly merchandise of small bulk is required to be rapidly transported over-sea. In the longer voyages, such as those to India, Australia, and China, sailing vessels of the best class still maintain their ground against steam vessels. It appears that the increase of sailing ships for nine years previously to the repeal of the Navigation Laws, was  $23\frac{1}{2}$  per cent., whilst during the same period the increase of steamers was 81 per cent. But since the repeal of the Navigation Laws to the end of last year, whilst the increase of sailing ships was  $26\frac{1}{2}$  per cent., steamers have increased to no less than 184 per cent. In these remarkable changes, inevitably incidental to great improvements, shipowners of small capital, vested in sailing-vessels of a comparatively inferior class, have suffered severely in the struggle, and many of them, your Committee regret to state, have been totally ruined. No suggestion, however, proceeds from any quarter that legislation could guard against these partial and transient evils, or that Parliament should be urged to make a vain attempt to remedy them, by arresting the development of steam navigation; which, until another motive power shall be discovered, is manifestly destined to occupy the first place in the navigation of ships employed for the purposes whether of trade or of war. In this view of the case, it is satisfactory to consider that the vast capital, skill, and material resources of Great Britain in both iron and coal, the essential elements of steam propulsion, will enable us to compete with any other nation in the art and business of steam navigation.

In comparing the relative cost of British shipping with that of all the various maritime countries with which we are engaged in the race of competition, your Committee have no reason to doubt, when every point of comparison is duly taken into consideration, that the first cost of building vessels is as low in this country as it is in any other; while it is undoubted that steamers can be built in the United Kingdom at much less comparative expense, and are greatly superior to any produced abroad. Indeed, by indisputable evidence, it appears that British-built ships, both sailing-vessels and steamers, are in considerable request by foreigners, and that even the Swedes and Norwegians have recourse to our markets for the purchase of ships.

But with these advantages in our favour, various causes since 1850 have

conspired to interfere with the successful prosecution of shipping adventure. The Act of 1849, by throwing open the trade with our colonies and possessions, and by surrendering to foreigners privileges which British ship-owners exclusively enjoyed, has, in the opinion of many of the witnesses, dealt a heavy blow to existing shipping interests. Whatever may have been the result of the policy of the Legislature, viewed in relation to the general interests of the empire, it could hardly be expected that those parties who considered themselves especially prejudiced by the change, would be convinced of its expediency and justice. And they have incessantly urged their complaints against those legislative arrangements which many of them still continue to denounce.

Whatever foundation may exist for the complaints of those who impeach a policy which was only sanctioned by the Legislature after great deliberation, it appears that other causes, in addition to those already mentioned, have very materially tended to bring about the depression of shipping which now prevails. About the period when the Navigation Laws were repealed, the discovery of the existence of gold in unparalleled abundance in the American hemisphere, and in Australia, imparted a new excitement to shipping enterprise. A vast emigration and commerce thereby suddenly stimulated caused a corresponding demand for shipping of the best class, and freights advanced considerably from their previously depressed state. The construction of larger ships, of a greatly improved character, was eagerly prosecuted. Capital was attracted towards numerous undertakings connected with shipping; inexperienced parties embarked in the business; and the building of vessels was promoted by speculative investments, resting, not unfrequently, upon an unsound system of banking. A serious reaction had commenced, when in 1854 France and England became involved in a war with Russia, and the sudden and extraordinary demand for shipping thence arising caused a rise in freights, so great that in many instances proprietors of first-class vessels realized fabulous profits. The demand for transport ships of all kinds at that time, and the diversion of these high-classed vessels from the ordinary channels of trade, which continued uninterrupted during hostilities, necessarily reacted favourably upon other descriptions of tonnage. All the witnesses admit, that the business of a shipowner was, throughout that period, in a high degree prosperous. Excessive profits, again, encouraged excessive speculative adventures in shipping and ship-building. But, at the conclusion of the war in 1856, a great relapse occurred; and since that period no revival worthy of notice, until very recently, has dispelled the gloom which lowered over the fortunes of the shipowners.

During the progress of the events to which we have thus rapidly adverted, the causes which operated upon British shipping having been of a general and world-wide character, extended their influence to foreign shipping. The opening of the ports of England, and of her colonial possessions in 1850, to the unrestricted competition of her maritime rivals, created a new and extensive field for their exertions. Capital invested in foreign shipping received a large accession. Foreign shipowners participated to a great extent in the vast increase of business resulting from the gold discoveries, which, as regards Australia, would have been otherwise confined to our own shipowners. The profits realized during the war in the Crimea, encouraged foreign shipowners to renewed efforts. Enormous additions were made to their tonnage, whether called into existence by the policy of

Parliament, or by the operation of political and commercial events during the last ten years. At the termination of hostilities in Europe, the superabundant tonnage of every foreign country was brought into competition with British shipping, and thereby aggravated, in a high degree, the evils of which British shipowners at present deplore the effects.

Your Committee have had evidence placed before them showing how much the repeal of the Navigation Laws has augmented the foreign shipping frequenting our ports; as, indeed, might naturally be expected, for foreign ships were excluded altogether from many branches of our trade previous to 1849. It appears also that, although within the last ten years British shipping has increased absolutely to a much greater extent than during any corresponding antecedent period, its comparative increase has not kept pace with that of the foreign shipping employed in our home trade and in that of our colonies and possessions, and some remarkable instances are adduced of the great augmentation of foreign shipping frequenting our ports.

It has been urged by many witnesses that, whilst British shipowners since 1850 have not increased the number of their ships in a degree disproportionate to the natural and ordinary increase and requirements of our own country, foreigners, on the contrary, by a great over-production of shipping—brought into existence, not to meet a correspondent advance in their own maritime commerce, but expressly for employment in those branches of the British carrying trade to which they were admitted by the repeal of the Navigation Laws—have contributed to overwhelm all branches of the carrying trade with a supply of tonnage far in excess of the demand for the general commerce of the world. A very serious depreciation in the market value of British, and also of foreign shipping, has undoubtedly taken place; but your Committee feel that this decline in value is mainly attributable to the excessive amount of tonnage which has been built in the United Kingdom and in foreign countries.

The policy of the repeal of the Navigation Laws, and of the expediency of reconsidering that much-contested measure, has been prominently brought under the notice of your Committee; but whatever may have been the complaints preferred against the policy of the repeal of these laws in its general tendency, not one of the witnesses examined before your Committee has proposed to recur, in its entirety, to the restrictive system which prevailed previously to 1850. Some witnesses, anxious to find a remedy for the present distress, go so far as to enunciate the principle of making a reservation to British ships of our colonial trade, and advocate the re-establishment of a monopoly of the carrying trade to and from all our colonial possessions. But the present extent, diversified interests, and increasing power of our possessions abroad, offer insuperable obstacles to the reimposition of restrictions on their trade; and the growing independent feelings of our colonists would revolt against a system which would place the grower of British plantation sugar and coffee in the West Indies at a greater disadvantage than at present exists, especially as against the producer of slave-grown sugar and coffee in Brazil and Cuba. A serious proposal to revert to an exclusive colonial system of navigation, the grievance which led mainly to the separation from England of the vast territory constituting the United States, might endanger the tenure of our other possessions, now growing every day more and more powerful. Your Committee therefore, looking especially to our relations with Canada, our possessions in the East

and West Indies, and, above all, in Australia, think it their duty unhesitatingly to declare their opinion that any proposal having for its object to re-establish an exclusive monopoly of the carrying trade to and from our colonial possessions, must, both on political and commercial grounds, be rejected as impracticable; and that while it would be unjust to our fellow-subjects in the colonies, it might embroil us with foreign powers, to whom we are bound by existing treaties.

The question, however, of the expediency of requiring foreign powers having colonial possessions to reciprocate every advantage to our navigation, which Great Britain has accorded unconditionally to them, is one which demands peculiar attention. The British shipowners, who carry on the present restricted and scarcely tolerated intercourse with the colonies of France, Spain, and Portugal, find their ships placed at an immense disadvantage in the unequal competition which they have to encounter; while they have the mortification to see foreign ships resort to our own colonies, and secure much higher freights than our own ships, when chartered to a port in Europe. For instance, it has been given in evidence that Spanish vessels are chartered to Manilla at 3*l.* or 4*l.* per ton, in English ports, whilst the British vessel cannot obtain 30*s.* per ton. From the Mauritius to Europe, a French ship enjoying the option of both the British and French markets, obtains a freight for sugar of 3*l.* 10*s.* per ton, while English ships are taking cargo at the low rate of 10*s.* per ton. One witness, an extensive shipowner, says emphatically: "It is very galling, indeed, and is enough to break one's heart, to see my ship lying in Calcutta, getting 15*s.* a ton, and a French ship lying alongside, getting 60*s.*, 70*s.*, and 80*s.* a ton;" and your Committee cannot but express an opinion, that this is a state of things which requires that every effort of the Government should be directed to get it placed upon a more equal and satisfactory footing.

It further appears that, in all our colonies and possessions, French, Spanish, and Portuguese vessels can generally procure a freight greatly in excess of that obtained by British ships, as the foreign national flag secures upon arrival at a port of call in England the advantage of our market, with the option of sending on the cargo to the respective countries in Europe to which the national flag belongs; but from which market such produce is now excluded by heavy differential duties, if carried in British ships. In this respect it is perfectly true, that, so far as our shipowners are concerned, "we have given all and obtained nothing in return." But while those nations act unjustly towards us, they are by adhering to this restrictive policy doing an immense amount of injury to their own people, as they enhance the price of all they require to import for their own use, and retard their commerce with other countries to an incalculable extent.

The difference of freight gained by the French shipowners in the Mauritius trade alone during one season has been estimated at 300,000*l.*; but though the largest proportion of that amount falls upon the French consumer, the obvious injustice of the existing system on the part of France, towards the British shipowner, needs no comment. Were the French and British colonies equally open to the vessels of both nations, the British shipowner would not, it is true, reap the benefit of the high rate, for the freight would doubtless be equalized; but both nations would gain the advantage of this enlightened policy, and it would do much to strengthen their friendly relations, and tend materially to increase their commerce.

The rigorous navigation laws and high differential duties of Spain work

precisely analogous results in the intercourse of British ships with the Spanish colonies of Cuba, Porto-Rico, and the Philippine Islands. As regards the direct trade with Spain, the differential import duties and the various absurd fiscal regulations effectually obstruct our navigation with that country, and encourage a contraband commerce in every part of the Peninsula; and these vexatious restrictions, still rigorously enforced by the protective policy of Spain and Portugal, while greatly to be deprecated, as tending to promote illicit trade, are injurious to this country in another form. It appears that a considerable amount of capital is invested by British subjects in the ships of both those countries. In Liverpool the trade is openly carried on; and the attention of your Committee has been directed to the formation of a company under the Portuguese flag, the promoters of which announce by public advertisement that they have been incorporated for the purpose of giving their vessels special advantages over those of other nations. They invite support, upon the grounds "that their ships, sailing under the Portuguese flag, will be able to command a very large share of the passenger traffic existing between Great Britain, Portugal, and Brazil;" and that, by reason of having "entered into a contract with her Majesty's Postmaster General on highly favourable terms," they will be exempted from the liabilities incurred by the Passenger Act.

Your Committee consider that these investments of British capital in foreign shipping, which are made under the allurements of advantages resulting from special privileges, is a feature in the present state of merchant shipping deserving serious attention, as deeply affecting our national interests. Exposed to greater liabilities and enjoying fewer advantages than a foreign European national flag, the British shipowner is now tempted to make over his property to the flag of a foreign state, by which proceeding the maritime power of Great Britain is *pro tanto* diminished.

The importance of maintaining the connection of our national flag with the interests of our merchants and shipowners, deserves the attention of the Legislature; and as your Committee cannot approve of the policy of those nations which withhold reciprocity to our shipowners, they trust every exertion will be made by her Majesty's Government to remove all inducements to British subjects to embark their capital in shipping under a foreign flag. The expediency of demanding reciprocity from those foreign countries which have hitherto refused to place our navigation upon equal terms in all their ports and colonies has been the subject of comment by many of the witnesses examined before your Committee; but no Administration, whether Conservative or Liberal, has ventured to suggest that the retaliatory clauses in the Act of 1849, which have remained dormant and inoperative, should be put in force; and, in like manner, no practical solution of the difficulty caused by our own legislation has presented itself to the minds of any of the witnesses.

It is self-evident that the exclusion of the shipping of the non-reciprocating powers from the British coasting trade would have no practical coercive effect. We must, therefore, if compulsory action be adopted to induce a change of policy on the part of foreign nations, resort to ulterior measures, in which colonial interests would be deeply involved. Your Committee have already expressed an opinion that such a step would be impracticable, and unjust to our colonies; and if any measure of retaliation is directed against foreign powers, or, if any withdrawal of unrequited privileges is concerted, the interests of the colonists would require to be as

carefully and impartially consulted as those of the shipowners of the parent State. But the various returns presented by the Board of Trade of the actual position of our merchant shipping, compared with the shipping of foreign nations, do not furnish sufficient grounds for the despondency which has prevailed amongst shipowners generally; still less would they justify retaliatory proceedings involving a total change of our colonial policy. In fact, such a change must have the sanction of Parliament, as a great extension of the retaliatory Powers now vested in the Crown would be indispensably necessary. Subsisting reciprocity treaties would require to be annulled or revised; and your Committee, upon examining the various documents prepared by the Board of Trade, find no valid proofs of permanent injury to our maritime interests, upon which alone a reversal of policy could be defended. British vessels, which, from 1838 to 1849 had 70 per cent. of the whole trade, leaving 30 per cent. to be carried under foreign flags, now enjoy 60 per cent. of the whole trade, leaving 40 per cent. to be carried on under foreign flags; but, as the 70 per cent. was upon only 11,501,177 tons, and the 60 per cent. on 19,332,174 tons, it is in vain to allege that these returns exhibit a declining trade. Again, in the passenger traffic, upon which so much stress is laid by various witnesses, to the effect that foreigners had seized the greater portion of this lucrative business to our exclusion; it appears, that while in 1853, 192,000 passengers were conveyed in foreign ships, and 110,000 in British, only 46,000 were conveyed in the former in 1859, and 55,000 in the latter. However the Americans may be beating us in sailing-vessels engaged in the trade with their own country, the British shipowner has gained and maintains the advantage in steam-ships; he has thereby been enabled, in the face of various liabilities and restrictions, to acquire a large proportion of the passenger trade.

But a sense of justice demands that all parties should be placed upon equal terms in the race of competition; and whatever difficulties may stand in the way of having recourse to those retaliatory measures which we have the power to exercise in order to obtain reciprocity from foreign Powers, there has, your Committee regret to state, been an apparent apathy on the part of the Executive Government to deal with this important question. It is admitted that nothing has been done by remonstrance to obtain reciprocity from foreign States, and that no "decided steps" of any kind have been taken; nor does it appear that any minister at the Foreign-office has employed that influence which might have been exercised to secure by diplomatic negotiation those advantages which it was the object of the retaliatory clauses to require in the last resort. Upon a recent occasion, the advantage of arranging a treaty of navigation with France, was deemed of sufficient importance to be the subject of an Address to the Crown by the House of Commons; but your Committee is not in a position to state that anything has since been attempted by the executive authorities to overcome the obstacles which stand in the way of concluding more satisfactory international arrangements with that country. Your Committee also regret to inform your Honourable House that they have not found in the archives of the Foreign-office, nor indeed of the Board of Trade, that specific information respecting the tariffs of foreign Powers, and especially of differential dues levied in European ports on British shipping, or upon goods carried in British ships, upon which alone a correct idea can be formed of the obstructions to our commerce which now exist, and of the best means of



removing them; and they recommend that immediate steps should be taken to remedy this deficiency. Though ten years have elapsed since the Navigation Laws were repealed, the Government is still officially unaware of the burdens and restrictions to which British vessels are subjected in foreign ports; that knowledge, with any rules or regulations which affect international intercourse, your Committee consider, ought to have been in the possession of the executive, and could easily have been obtained through the medium of our consular agents abroad. Had the necessary information been collected by the Foreign-office, and communicated to the Board of Trade, your Committee are of opinion that the diplomatic action of a powerful and commercial country like Great Britain might have been under the direction of an able Minister of Foreign Affairs, prudently and advantageously employed in pressing upon foreign Powers the adoption of a free trade policy in navigation; with a view to cement, by a closer bond of interest, the political relations which already happily subsist by international treaty. Your Committee are of opinion that no country which enjoys the benefits of an unrestricted navigation with Great Britain and her vast territories, together with the incalculable benefits of our great and inexhaustible markets in both hemispheres, would for a moment run the risk of jeopardising these advantages, rather than cede a share of that domestic and colonial trade and navigation, which they still withhold with a commercial jealousy unworthy of enlightened nations.

Your Committee still hope that, through the representations of our diplomatic agents, the European States which hesitate to reciprocate a liberal system of navigation may be induced to yield to our friendly demands, in order to avoid the possibility of having recourse to any measures which may bear even the appearance of loosening the ties of amity which now subsist.

As regards the Government of the United States, your Committee feel deeply disappointed that they have not taken a more liberal course in regard to their coasting trade. The expectations entertained that the United States' Government would yield the point now contended for, provided we ceded our coasting trade to American vessels, have resulted in disappointment. So strong is this feeling, that it has been pressed upon the attention of your Committee from various quarters, that as the Americans did not possess any colonies, and, consequently, gave no equivalent in return for the cession of our colonial trade to them; and that, as the trade from the eastern coast of the United States to California, either by way of Panama or round Cape Horn, has no analogy to that which is deemed a coasting trade, we ought to have no hesitation in excluding the ships of the United States from our colonial carrying trade, with a view to bring their shipowners to a juster sense of what is due to our friendly reclamations.

But though your Committee are not prepared to recommend the adoption of this course, they are of opinion that the unremitting attention of her Majesty's Government should be directed to this important question, with a view to remove, if possible, the last and only obstruction to a more free and unrestricted commercial and maritime intercourse between the United States and this country.

*Belligerent Rights at Sea.*—The question of belligerent rights at sea, with reference to merchant shipping, affects alike the British shipowner in the prosecution of his business, and the general interests of Great Britain, and therefore the evidence given on the subject has received from your Com-

mittee that attention which its gravity demands. Great Britain formerly asserted principles of the law of nations, with reference to the rights of belligerents and neutrals, though other nations defended maxims in some points differing from our own. But in the war with Russia in 1854, England having formed an alliance with France, both nations waived their rights to confiscate enemy's goods on board neutral ships, as also neutral goods, in either case, not contraband of war, found on board an enemy's ship. This mutual but provisional waiver of belligerent rights, placed the allies in harmonious action, and practically countenanced the principle that "free ships make free goods." Upon the return of peace, the Declaration of Paris of April, 1856, signed by Austria, France, Great Britain, Prussia, Russia, Sardinia, and Turkey, gave a formal sanction to this principle. Privateering was also abolished.

America was invited to be a party to this general international agreement, but demurred; and coupled at first her assent to the abolition of privateering, with the condition that private property at sea should no longer be subject to capture. Finally, she refused to be a party to a convention whereby she would be precluded from resorting to her merchant marine for privateering purposes in case she became a belligerent. But this is not surprising, for the United States has obtained a recognition of the rights of neutrals, for which she contended throughout a former period of hostilities; and Great Britain has surrendered her rights without any equivalent from the United States. Our shipowners will thereby be placed at an immense disadvantage in the event of a war breaking out with any important European power. In fact, should the Declaration of Paris remain in force during a period of hostilities, the whole of our carrying trade would be inevitably transferred to American and other neutral bottoms.

From the evidence given by various witnesses it appears that, at a recent period, upon a mere rumour of war in Europe, in which it was apprehended that Great Britain might be involved, American and other neutral ships received a decided preference in being selected to carry produce from distant parts of the world to ports in Europe; whereby, even in a period of peace, British shipowners were seriously prejudiced. It seems, therefore, that the state of international law, with reference to belligerent rights affecting merchant shipping, cannot remain in its present state; for whilst England may be involved in any great European war, the United States is almost certain to be neutral; and thus our great maritime rival would supplant us in the carrying trade.

We must therefore either secure the general consent of all nations to establish the immunity of merchant ships and their cargoes from the depredations of both privateers and armed national cruisers during hostilities; or we must revert to the maintenance of our ancient rights, whereby, relying upon our maritime superiority, we may not merely hope to guard unmolested our merchant shipping in the prosecution of their business, but may capture enemies' goods in neutral ships, and thus prevent other nations from seizing the carrying trade of the kingdom during a state of hostilities.

Your Committee consider it their duty to call the attention of your Honourable House to the great importance of this question, which, if not solved during a period of peace, may cause incalculable embarrassment at the outbreak of a war. It is doubtless the prerogative of the Crown to initiate proper measures to maintain the honour and guard the interests of

the country in this respect. Your Committee, however, cannot but express their opinion that a compact, like the Declaration of Paris, to which a great maritime power has refused to be a party, may, in the event of hostilities, produce complications highly disastrous to British interests. As matters stand, England is under all the disadvantages of the want of reciprocal pledges on the part of the United States to refrain from privateering, or from the attempt to break a blockade, which, as heretofore, a sense of self-preservation might compel Great Britain to establish; while Powers so unpledged, urged by every motive of self-interest, would be in a position to inflict the deepest injury upon British interests, under the same unjustifiable pretences as were put forth during the war at the commencement of the present century.

Your Committee have thought it their duty thus briefly to point out to your Honourable House the present unsatisfactory position of this question as it immediately affects British merchant shipping. They have done so in the confidence that the whole subject will receive due attention in that quarter where the responsibility rests, of taking such measures, in concurrence with foreign Powers, as may place the present international regulations on a better footing. Your Committee are aware that grave objections have been urged by high authorities against any further step in advance; but they cannot close this brief comment on so important a question without expressing a hope that your Honourable House will agree with them in the opinion that, in the progress of civilisation and in the cause of humanity, the time had arrived when all private property, not contraband of war, should be exempt from capture at sea. Your Committee are of opinion that Great Britain is deeply interested in the adoption of this course. This country has at all times a much larger amount of property afloat than any other nation, and consequently requires a very large naval force to protect her merchant shipping, perhaps at a time when the whole of our ships of war may be urgently wanted to defend our shores.

*Liability of Shipowners.*—The measure of the liability of shipowners, where loss of life or personal injury is caused to any person being carried in a ship, has been the subject of general complaint; and has led in many quarters to so much misconception of the actual state of the law, and of the extent of the shipowner's responsibility, that your Committee deem it right to give the matter a prominent place in their Report. It seems to be generally agreed by the best authorities, that formerly the shipowner, as a carrier by sea, was answerable for the conduct of the persons whom he employed. His liability, in all cases, was unlimited. Successive statutes were however passed, which protected owners in a variety of cases, as they arose, from responsibility beyond an amount equal to the value of their interest afloat; but the passing of Lord Campbell's Act ("An Act for Compensating the Families of Persons killed by Accidents"), whether it was designedly intended to apply to shipping or not, undoubtedly subjected shipowners to a liability which was not limited in the case of loss of life.

This Act provided a civil remedy for the representatives of a deceased person killed by accident, which they previously did not possess; and made an action maintainable against any person causing death through any wrongful act, neglect, or default. When it became apparent that shipping was liable to the provisions of the Act, shipowners who carried passengers in their ships were greatly alarmed. It was evident that, through no personal act or privity of their own, they might still be liable, to an

unlimited extent, for any damages which a jury awarded in any action brought against them.

Your Committee feel bound to direct attention to the difference between accidents on land and the casualties to which ships traversing the seas, and encountering all the violence of the elements, are exposed. Your Committee must also remind your Honourable House that, by recent enactments, the shipowner, in order to ensure greater safety to persons and property, is now, to a very considerable extent, compelled to construct, equip, and navigate his ship in the manner directed by the Legislature; and that the Merchant Shipping Act contains "no less than seventy-eight clauses, inflicting penalties for omissions or commissions of acts affecting or supposed to affect the public interest."

The earnest representations made by shipowners, in the interval between 1846 and 1854, to the Board of Trade, of the unlimited liability to which they were exposed under Lord Campbell's Act, induced the Government to propose to Parliament the clauses of the Merchant Shipping Act of that year, which now form the statutory law upon that branch of the subject.

By the 504th section of that Act, the shipowner, in all cases where any loss of life or personal injury occurs, without his actual fault or privity, is not answerable in damages to an extent beyond the value of the ship and freight, taking the value of the ship at not less than 15*l*. per ton.

The procedure prescribed by the Act to recover such damage are simple and summary; and, by the 511th section, any person who is dissatisfied with the amount of statutory damage, may bring an action on his own account; the amount of damages recoverable by him being, however, still limited to the value of the ship and freight.

Your Committee fully admit that this limitation of a previously unlimited liability was a great concession to the shipowner, and relieved him from a ruinous responsibility. Your Committee recognize the wisdom of the principle which was sought to be enforced with so much care and consideration, viz. that to exempt shipowners from liability beyond the value of an inferior ship and freight, would be an encouragement to unprincipled persons to employ worn-out and inadequately manned vessels in the conveyance of passengers; and that, on the other hand, to subject shipowners to unlimited liability for such calamities, might induce men of property and character to withdraw their fortunes from so great a hazard.

Your Committee, however, must treat the subject as it practically works, keeping in view the desirability of maintaining the law, so as to guard against the wilful negligence of the captain and crew of a ship, and to give the families of persons killed a legal remedy; but at the same time, to shield the shipowner, if possible, from those ruinous consequences, which no precaution or foresight on his part can at present avert.

Much conflicting evidence has been given by various witnesses respecting the legality of insurances effected to cover the risks contemplated by the statute of 1854. It appears that at Hull, and at various other ports, "Protecting Societies" are formed upon a principle of mutual assurance, in which vessels estimated of the real value of 2,810*l*. are valued at 10,000*l*., with a view to cover the risks in question. These contracts of assurance are, it is stated, of questionable legality; and the "Protecting Societies" seem to be called into existence to guard, in an indirect manner, against any casualty involving loss of life, which, under the prevailing impression

amongst shipowners concerning the law of insurance, is not a legally insurable risk.

Your Committee have not been furnished with any specific proofs that any claims for losses have been preferred against or made good by any of these societies.

But whatever usage may prevail in any part of the United Kingdom in regard to the practice or legality of covering by insurance that particular risk incurred by loss of life in ships, through the neglect of the captain or crew, for which the owner is made liable to a limited extent by the Merchant Shipping Act of 1854, your Committee consider the subject to be involved in so much doubt that it ought to be settled by statutory enactment. Your Committee therefore recommend, that a clause be prepared by the Board of Trade, similar in principle to the 55th section of the Passenger Act of 1855, declaring with reference to the liabilities recited in the 503rd and 504th sections of the Merchant Shipping Act, that no policy of insurance shall be deemed to be invalid by reason of the nature of this risk.

Under the clear and unambiguous state of the law since 1854, now controlled by statutory authority, no personal liability accrues to a shipowner for loss of life or personal injury, beyond the value of the ship and freight, taken at a minimum of 15*l.* per registered ton; but a further provision was added, enabling the Board of Trade, where many lives were lost, to consolidate the actions, and recover for each life a sum not exceeding 30*l.* Any relative not content with this sum was enabled to bring his own action, subject to the prior claims of the Board of Trade, and to the limitation of the whole liability above mentioned. A further provision was inserted, enabling the courts of Chancery, or other courts exercising similar jurisdiction, to prevent multiplicity of proceedings, whether in respect of life or property, and to administer in due course the whole limited amount for which the shipowner might be liable.

Your Committee must point out that, as the 511th section, already referred to, leaves it open to any person dissatisfied with the amount of statutory damages, to bring his action against the shipowner on his own account, the practical effect is, that when an accident occurs, innumerable actions at law are instituted against opulent companies or wealthy shipowners; and under the threats and pressure of legal proceedings, the owners of the incriminated ship are, unless in cases where all the claims arise within one jurisdiction, glad to pay almost any amount of compensation money, rather than bring the cause before the courts of law. Your Committee readily admit that, in some cases mentioned, the preliminary decisions of the Board of Trade, as prescribed in the Act, have been fully warranted by the circumstances; and that, in a public point of view, as regards the protection of life and property, the intervention of the Board has had a salutary effect, and has been sanctioned by public opinion. But on the other hand, your Committee cannot but express their opinion, that as the law has, by very exceptional legislation, armed the Board of Trade with power to institute inquiries into wrecks and casualties, upon the decision of which not only depend the question of culpability of the parties implicated, but practically, also, the liability of the shipowner, it becomes of the highest importance, for the due administration of justice to all parties, that these inquiries should be conducted with the strictest impartiality; and that the official weight and influence of a powerful public

Board should not be brought to bear unduly against any person implicated; and this especially should be avoided in cases where claimants have a deep interest in fixing criminality upon the commanders of the vessel.

Your Committee having expressed an opinion, that the insurance of life as well by the shipowner as by any person having an insurable interest by law, should be declared legal by statute, it becomes necessary to consider whether the valuation of damages in the event of death, fixed by the statute at 30*l.*, and the vessel and freight at a minimum of 15*l.* per registered ton, limited only by the value of ship and freight, however great, cannot be modified so as to protect passengers, rich and poor, against the contingency of casualty whilst exposed to the perils of the sea and of navigation, and at the same time not discourage the reputable shipowners of the United Kingdom from pursuing the passenger trade. Capitalists connected with shipping are ready to incur such liabilities as prudence and foresight can guard against; but it is stated in evidence that many wealthy British shipowners refuse to take passengers on board their vessels, mainly on account of the great, uncertain, if not practically unlimited liability to which they would be exposed in the event of loss of life. But, on the other hand, there are certain facts proved to your Committee which appear to be scarcely consistent with these assertions. In considering the question of the liability of shipowners in all its bearings, the additional liability to which the British shipowner is exposed by the operation of the municipal laws of foreign states, and of our own possessions abroad, cannot be shut out of consideration. It appears that the Peninsular and Oriental Steam Navigation Company, under processes of law in different places, were compelled to pay damages very far in excess of the value of the ship; and it is admitted that in the present state of the law, both in America and in England, though the liability of the shipowner is limited, he may be sued, in both countries, and have to pay the whole claim twice over. This raises the question of the practicability and desirability of an international arrangement with maritime countries, so as to arrive at some uniform reciprocal principle. Some such agreement seems the more desirable, for, as the law stands at present, the liability of the foreign shipowner is not limited in our courts, and the liability of the English shipowner, by the same rule, if it were applied in the United States, would not be limited in their courts. Therefore, though the English law may have contemplated the limitation of the British shipowner's liability, any damage sustained by a collision on the high seas between a British ship and a foreign vessel would not fall within the statutory limit, and, practically, the liability of the British shipowner, in the event of loss of life, would be unlimited; or, at least, co-extensive with the loss, which a jury might assess according to the rank of life an injury sustained by the relatives or family of the deceased.

The subject becomes further embarrassed in cases of collision, in which the guilty ship, or both ships, may perish and be no longer in existence. A valuable cargo on board a worthless ship, or a worthless ship running down and destroying a valuable vessel, causes in every variety of case infinite uncertainty, where redress is sought under the Act of Parliament. In cases in which the incriminated party has, in fact, lost his ship, he is still liable by the English law for its value together with the freight, which aggravates the hardship to the shipowners. It is generally agreed that the valuation for loss of life in the Merchant Shipping Act at the minimum

of 15*l.* per ton, was fixed with a view of preventing the employment of inferior ships, and it was considered that vessels of the value of 15*l.* per ton, were sufficient to provide for the comfort and safety of passengers. Your Committee agree in the opinion suggested that, instead of taking the actual value of the ship in every case as the limit, a certain sum per registered ton might be fixed, with a view to arrive at greater fairness between shipowner and shipowner.

At present the law inflicts a heavier punishment upon the owner of the vessel best adapted to provide (from her superior construction) for the safety of passengers; and the responsibility of the owner actually increases with the increased means he employs to provide for the health, safety, and comfort of those who embark in his vessel. Your Committee, are, therefore, of opinion that an absolute sum of 15*l.* per ton gross register, whatever may be the actual value, should be established as the definite valuation of the ship, and that all consideration of freight should be excluded. If your Honourable House should adopt this recommendation, which, in the opinion of your Committee, is based upon more intelligible principles than the existing law, and is necessary on the grounds of justice and policy, then the owner of the inferior ship, and the owner of the well-appointed ship, would be placed upon the same level of responsibility; and owners of valuable ships would not be at a disadvantage, as they now are, when a collision occurs with a badly-found vessel, belonging, perhaps, to an opulent owner.

*Light Dues.*—The incidence of the light dues now paid by the shipowners of the Empire, which in many instances operates as a serious burden upon merchant shipping, has received from your Committee all the attention its importance demands. But as a Royal Commission is now employed in the special investigation of this subject, your Committee need not review the details which of late years have been brought before Parliament, and which led to the appointment of a Royal Commission. The Report of 1845 put upon record the various proceedings up to that time, which terminated at a later period in placing the general public lights of the Kingdom under the superintendence and control of the Trinity House, Deptford Strond, the Commission of Northern Lighthouses, and the Port of Dublin Corporation. Under the provisions of the Merchant Shipping Act, 1854, the Board of Trade exercises a controlling power over the lighthouse authorities, in everything connected with the erection and maintenance of lighthouses, and the application of the sums received for light dues to the Mercantile Marine Fund. Your Committee think it unnecessary to make any remarks upon the efficiency, or otherwise, of the lights throughout the kingdom, or upon the relative expense of their maintenance. The question to which the main attention of your Committee has been directed is in what mode the cost of their erection and maintenance should be defrayed, whether, as at present, from a tax upon shipping, or otherwise by a grant from the general revenue of the State. The evidence taken before your Committee upon the question of lights, considered as a burden upon shipping, shows, that whilst the tax for the maintenance of lights is easily borne by shipowners whose vessels are engaged in the long voyage trade, the owners of small vessels, on the other hand, suffer very severely from the onerous character of the charge; and steam-ship proprietors, whose vessels make repeated voyages, complain that the light dues bear most unequally upon their property. The only plausible objection raised by any of the witnesses against the payment of the lights from the general revenue of the State seems to be,

that as foreign vessels now pay a considerable proportion of the whole sum contributed, it would be inexpedient to throw the charge upon the Consolidated Fund. Your Committee having given this argument all the attention it deserves, are of opinion that, as the tax falls ultimately upon the consumer, no invidious distinction should be drawn between British vessels and foreign vessels, as regards the future payment of this impost. Your Committee would, however, recommend that any law for the establishment of a new system should be framed in such a manner as to authorise some well-considered pre-conditional arrangement, in order to secure from foreign Powers equal privileges and exemptions for British shipping as regards light dues, or other advantages, which might be accorded to foreign shipping in our ports. In the ports of France, for example, an English vessel proceeding from England to Havre, in the direct trade, pays at that place one franc and 96 $\frac{1}{2}$  centimes a ton port charges, which embraces the tonnage, navigation, and light dues. French ships, it is true, pay a similar amount; but it appears that France charges upon her trade, in the shape of that tonnage tax, twice as much on each ship as we charge for light dues; and this computation is made upon a general average of the national shipping of each country. In the United States, however, Congress appropriates an annual vote for lights throughout their whole territory, which is borne by the entire Federation; and though stated to the contrary by one of the witnesses, your Committee believe that the harbour dues levied in the ports of the various States composing the Union, have no relation whatever with the general charge of lights.

The official correspondence between Lord Palmerston, at that time Secretary of State for Foreign Affairs, and Mr. Lawrence, Envoy Extraordinary and Minister Plenipotentiary from the United States of America, in 1851, upon the subject of lights, expressed the opinion of the Queen's Government as to the wisdom and liberality of freeing commerce from any burden on this account, by adopting a similar course to that pursued by the American Government. This opinion has been repeated at various periods by eminent statesmen in Parliament, confirming, in every point of view, the resolution passed by the Committee on Lighthouses in 1845; viz.:—"That the amount paid for light dues presses heavily on the commercial shipping of this country, especially on the coasting trade; and sound policy requires that every practicable relief should be given." The Committee of 1845 further recommended, "That all expenses for the erection and maintenance of lighthouses, floating lights, buoys, and beacons on the coast of the United Kingdom be henceforth defrayed out of the public revenue; and that as the Trinity House has incurred a debt under authority of 6 and 7 Will. IV., c. 79, in purchasing the rights of private individuals for their leases and possessions of lighthouses, the Government ought to take upon it that debt." Your Committee, for the reasons recapitulated at great length in the above Report, and with the feeling that the lighting of our shores is a high Imperial duty, which we owe not merely to ourselves but to strangers whom we invite to trade with us, recommend the adoption of the sound and liberal policy therein indicated, that the nation generally should pay the cost of the maintenance of the lights, subject to the conditions indicated in a preceding paragraph. Your Committee need scarcely point out that the ships of the Royal Navy, Revenue, and fishing vessels, yachts and ferry-boats, are exempt from the payment of light dues;



and the present unequal incidence of the tax furnishes additional ground for the removal of the burthen altogether from merchant shipping.

The justice, as well as the policy, of that course is strengthened by the fact that the large debt of 1,250,000*l.*, the result of improvident grants, incurred under the authority of Parliament for buying up the lighthouses held by individuals, has, since 1845, been paid out of the light dues raised by a tax upon shipping, though it was undoubtedly the duty of the State to take upon itself that debt. By means of the enormous dues which have been levied, the whole existing system of lighthouses has been brought, at an estimated outlay of 4,000,000*l.*, to its present state. And while the accumulated capital now in hand would, under judicious management, materially assist in the erection of such additional lighthouses as might be called for by the increasing trade of the country, the future annual charge upon the Consolidated Fund would probably not exceed the interest of the capital already raised by a tax upon shipowners for the purchase and erection of our lighthouses, and which is now funded for the benefit of the nation.

Your Committee are of opinion that the special relief afforded to the merchant shipping of the United Kingdom by the transfer of the annual expenditure for lights to the Consolidated Fund, would to some extent be compensated to the customs revenue by an additional increase of the general import and export trade of the country. It has been stated that a saving would be effected in the cost of collection and maintenance by such transfer, while the shipowners in the coasting and short voyage trades, who are at present in a state of suffering, and upon whom the country mainly depends for its seamen, would be materially benefitted. Your Committee are however of opinion, that before any change is made in the existing system, a special department of the Government should be invested with adequate powers for controlling the expenditure on the lights, and for enforcing the arrangements necessary to secure the efficiency of the service, and its economical performance. Though great improvements have taken place since the expenditure was placed under the control of the Board of Trade; it nevertheless appears by the evidence, that if the expense of the lights was borne by the State, while the cost of collection, which is considerable, would be saved the evils of a double, and in some respects irresponsible management, would be avoided. "If," to use the words of an intelligent and most competent witness, Captain Sullivan, of the Board of Trade, "we were going, for the first time, to chalk out a new mode of government for the lights, one would never dream of fixing upon such a mode" as the present. In conclusion, when your Committee consider the policy which has been adopted of recent years, and the wisdom of affording every facility to other nations to trade with us, they cannot but feel that it is our duty to point out to the mariners of those countries the dangers which surround our shores.

*Ballast.*—Your Committee cannot close this part of their Report without directing the attention of your Honourable House to the monopoly held by the Trinity House of Deptford Strond for the supply of ballast to ships frequenting the Thames; and though it does not appear by the evidence that the Trinity House realise any profit by the transaction, still it is contrary to all experience to suppose that if shipowners were allowed to purchase ballast where they pleased, the competition would not materially reduce the cost. Your Committee are therefore of opinion that this monopoly ought to be abolished.

*Pilotage.*—The Merchant Shipping Act of 1854, Part V., by bringing the various pilotage authorities under the superintending control of the Board of Trade, made a great step towards simplifying and amending the previously confused local regulations and arrangements. The reports on pilotage, now presented annually to Parliament, have furnished much precise information on matters which were previously confined almost exclusively to local bodies. Your Committee, however, are of opinion that many points of detail in relation to our pilotage laws and regulations are susceptible of great improvement, and that the present system might be made more uniform and complete.

The advantages and disadvantages of a compulsory and voluntary system of pilotage have been brought prominently under the consideration of your Committee. Shipowners engaged in the long voyage trades generally express themselves satisfied with the existing system. They suggest, however, that some of the minor regulations might be modified with advantage. This class of shipowners, in the confidence that when a pilot is on board their ships, they are practically exempt from liability, in the event of collision, cheerfully submit to bear the charge of compulsory pilotage. They apprehend, if the system was abolished, that pilots would not be disposed in bad weather to make their appearance, and that consequently ships might be in danger when approaching the coast.

But the proprietors of small ships engaged in the over-sea trade, complain of the heavy charges exacted for pilotage, especially in cases where their vessels are compelled, through stress of weather, to put into various ports in the Channel, or to anchor in roadsteads, where the services of a pilot are not required. The witnesses from Liverpool were in favour of maintaining the existing system of compulsory pilotage, and the establishment of pilots at that port is evidently conducted in a satisfactory manner. On the other hand, on the east coast of the kingdom, especially at Newcastle and Sunderland, a very great desire is expressed that it should be altogether optional with the master of a vessel to employ a pilot. Under a local Act this latter principle, so far as British ships are concerned, has been in operation during the present century in the Newcastle district; but pilotage dues are still exacted from foreign vessels, even when the services of pilots are not required. The State has hitherto considered it necessary to reimburse the pilots of certain localities the sums for pilotage dues which they would have received from foreign vessels under a compulsory system; and these sums are paid from the Consolidated Fund, on the simple declaration of the pilot that he has hailed the vessel, and offered his services. The Pilot Board of Liverpool, however (where pilotage is compulsory) receive compensation from the State in lieu of these differential rates, under the authority of an Act passed so far back as the reign of George III. Your Committee are of opinion that the retention of differential pilotage dues, entailing a heavy charge on the Consolidated Fund, cannot be justified, and should be abolished, due regard being had to the interests of those who may be affected by such change. It appears that in the pilotage district of Newcastle where the voluntary system prevails, and where the navigation is difficult, and at times dangerous, no inconvenience results from the absence of any legal compulsion to employ a pilot. Neither is the demand for nor the supply of a duly licensed pilots in any way diminished by the practice which prevails; on the contrary, the supply is much greater than it is at most other places where pilotage is compulsory. Whether the vessels

frequenting that pilotage district are in ballast, forming nine-tenths of the arrivals, or whether they are laden, the exception of entering or leaving the several ports without a pilot is not one in a thousand services. The success which has attended the working of the voluntary system in the north-eastern ports, naturally leads the witnesses of that part of the coast to urge the adoption of the voluntary system throughout the whole of the United Kingdom. They dwell, with great force and justice, upon the anomalies arising from the 379th clause of the Merchant Shipping Act, by which ships arriving from the westward of Boulogne are subject to pilotage coming into London; while ships from the other side of Boulogne, to the northward, embracing the whole northern and north-western shores of Europe, as far as Archangel and St. Petersburg, are left free to employ a pilot or not, at their discretion. The services of a pilot are however almost invariably resorted to, and therefore the question seems narrowed to one bearing, mainly upon the expediency of adopting a uniformity of system. In the case of the Falmouth dispute concerning the limit of Carrick Roads, as detailed by Captain Sullivan, the Trinity House appears to have differed with the Board of Trade, and to have established an extension of the pilotage district which the Board of Trade had refused to sanction.

In the Bristol Channel, a state of things exists as regards pilotage, which requires immediate amendment, and your Committee are of opinion that the privileges granted to Bristol pilots to claim pilotage dues from the owners of vessels frequenting the numerous ports in that channel should be forthwith abolished, and an end put to the conflict and confusion of jurisdiction which prevails in that part of the kingdom. The practice also at Yarmouth Roads, at the Downs, and elsewhere, where, if a vessel anchors for even a very brief interval, she is subject to pilotage within the limits of the pilotage district in which she may anchor, is a grievance which ought to be discontinued. In fact, the various anomalies described with so much professional acuteness by Captain Sullivan and other witnesses are so glaring, that no time should be lost in preparing some general pilotage measure, under the authority of the Board of Trade, to remove them.

Your Committee express their regret that when the Merchant Shipping Act of 1854 was under consideration, many of the objections now so loudly complained of should have been allowed to remain. Your Committee are of opinion, that whilst preserving a system of pilotage administration founded upon local experience and management, it is essential to the general advantage of the merchant shipping of the empire that a superior authority should reside in the Committee of the Privy Council of the Board of Trade, being directly responsible to Parliament, with a view to establish a general uniform system of pilotage, free from the very objectionable practices and regulations which now prevail. The present process of enforcing the recovery of fines by warrant under the old statute, seems open to objection and leads to great abuse; but whilst your Committee would set in motion all the power of the law to enforce obedience to the regulations laid down by the authority of Parliament, it deserves consideration whether the fines recoverable under the existing Acts cannot be effectually levied in some less vexatious manner.

As regards the main question of voluntary or compulsory pilotage, your Committee, after weighing most attentively all the arguments upon the subject, have arrived at the conclusion that a system of voluntary pilotage might be safely established in most parts of the empire, due consideration

being had to the interests of those parties who have invested capital on the faith that the compulsory system would be maintained. Your Committee have had the most convincing evidence that where the system of voluntary pilotage prevails, the supply of pilots is more abundant, their efficiency is in no way inferior, and the rates generally lower than at any of the ports where compulsory pilotage is still in force. The arguments, therefore, which have been used in favour of the existing system, and the fears which have been expressed in regard to obtaining, at all times and under all circumstances, a sufficient supply of pilots, must give way to the facts which have been adduced in evidence. For instance, it appears that at Cork, where pilotage is voluntary, there are no less than 103 licensed pilots; whereas at Falmouth, where quite as many vessels call for orders, and where pilotage is compulsory, there are only thirty-six pilots; who appear to be less vigilant, and who demand much higher rates for their services, although "it is an open place, free from any danger."

Your Committee would further observe, that where pilotage is compulsory, it is generally the practice to limit the number of pilots, to prevent them from accepting a less sum than the fixed rates, and to make it compulsory on each pilot to take his turn, and to accept whatever employment may offer. If the obligation on the ship to employ a pilot were done away with, the corresponding limitations and obligations of the pilots would also be done away with, and the probable consequence would be, that more men would offer, and that the supply would adapt itself to the demand. The general regulations which it would be necessary to frame under the authority of Parliament in order to carry into effect the requisite change, would be so simple as not to create any difficulty. Your Committee are of opinion that the pilots should be left under the local regulations of the existing pilotage authorities, who would fix the rates and the qualifications of the pilots to be licensed, by the difficulties of navigation and the wants of the place, subject to the approval of the Board of Trade.

Your Committee do not anticipate that any difficulty respecting the law and practice of insurance will accrue from the change. The law will thenceforth leave all parties at liberty to form a free contract; and the merchant, the underwriter, and the shipowner, will be competent to adjust their policy of insurance upon what terms they please. All experience proves that masters will avail themselves of the services of a qualified pilot in any navigation which is in the slightest degree dangerous; and the existing exemptions in respect of coasting vessels, which give rise at present to no difficulties, justify the anticipation that if the pilotage of the foreign trade is thrown open, commerce and shipping will be relieved of restrictions which now in many cases fetter their efforts. In conclusion, it is right to add, that by an Act of Mr. Labouchere's in 1849, an important alteration was made, enabling pilotage authorities to grant licences to competent masters and mates, which should free them from compulsory pilotage; and by the subsequent Acts of 1853 and 1854, the Board of Trade was enabled, if the local authorities should refuse to act, to license the masters and mates themselves; and the number licensed by the Trinity House is steadily increasing, and at more than one port where the local authorities have refused to act, the Board of Trade have exercised the power of licensing committed to them. Your Committee cannot but consider this a great improvement on the previous state of things, but there are still numerous complaints.

*Local Charges and Passing Tolls.*—The charges levied by local authorities, affecting ships, and goods carried in ships, have been brought so frequently under the consideration of Parliament since 1852, that your Committee can do little more than refer to the opinions deliberately expressed by the Royal Commissioners appointed to inquire into local charges on shipping in their Report of 1854. The origin and nature of these charges have been so fully detailed by the Royal Commissioners, that your Committee, referring to their Report, need scarcely travel over the same ground. The grievances, so ably pointed out by the Royal Commissioners, arising out of exclusive privileges; differential dues and exemptions; charges levied by the authorities of public harbours, and applicable to other than harbour purposes; passing tolls; dues and tolls exacted by municipal corporations or other town authorities, and applicable to municipal and town purposes; and the charges levied by charitable or other corporations or companies, and applicable to purposes not being harbour, municipal, or town purposes,—all fall within the scope of the present inquiry, and have been the subject of complaint by several witnesses. Your Committee regret to state, that in consequence of the opposition raised in both Houses of Parliament to every attempt to reform these abuses, not one of the recommendations of the Royal Commissioners, in respect of the above burdens and restrictions, has been carried into effect.

Whatever may have been the origin in remote times of differential dues, either on ships or on goods carried in ships, the authority of Parliament has been frequently exerted, from time to time, in removing those obstructions to international commerce. With a view to carry out this policy, and to fulfil our reciprocity treaty obligations with foreign Powers, no less a sum than 1,125,097*l.* was paid up to the year 1858 from the general coffers of the State, for the difference of rates and charges due to corporations, companies, or individuals, which they have severally claimed as compensation for differential rates and charges which they have ceased to levy on foreign ships and goods conveyed therein, pursuant to the existing arrangement with the Treasury, made under the authority of various Acts of Parliament. About 50,000*l.* a year is now paid annually out of the Exchequer for this object, and the increasing trade of the United Kingdom, a great portion of which is necessarily carried on by foreign ships, tends every year to increase this annual charge.

The evidence given before your Committee happily proves, that various local corporate bodies which in virtue of chartered or prescriptive rights exercise a taxing power over ships or goods carried in ships, have, since the period when these payments commenced, reduced various tolls and dues, which they claimed a title to receive under their several charters, or by prescription. The pressure of public opinion, or a desire to improve the trade of the place, has no doubt induced them to take this step, which in almost every case has been followed by a great increase of the commerce of the port. But many of these corporations, whilst they reduced the local tolls and dues which pressed upon the navigation or trade of the locality, have invariably maintained those tolls and dues, drawn from the public Treasury, under the arrangements consequent upon the Reciprocity Treaties Acts, by what they denominate a “bargain with the State.” In this way the Corporation of Hull, for example, receives between 3,000*l.* and 4,000*l.* a year, which, by the statement of the town clerk, goes altogether to the borough fund, this payment being made by the Treasury to

the corporation, in compensation for a tax formerly levied by them on foreign shipping.

It must rest finally with the decision of Parliament whether this system, by which a perpetual annuity is secured to the recipients of these annual compensations charged upon the Exchequer, for which the public receives no benefit whatever, should not be put an end to. Your Committee, without prejudging the question of right, are of opinion that the system of reimbursement by the State of the equivalent of tolls and dues on foreign ships, should be abolished. The principle of equal duties on British and foreign shipping ought to be the rule of municipal, as it has long been, of Imperial legislation.

As the pilotage authorities at Liverpool and the Corporations of Hull and Newcastle are the recipients of about nine-tenths of the entire amount annually paid by the State, they deserve especial attention. The Government Bill of 1856, having for its object to accomplish a reform in the local dues and charges on shipping, proposed a remedy for these abuses, by abolishing the general rights of those bodies to levy dues on shipping, the produce of which was in too many cases applied to town purposes, and was not expended for the benefit of shipping. The bill having, however, for various reasons encountered considerable opposition, was withdrawn, and the whole question of local charges on shipping was referred to a Select Committee of your Honourable House. But the Committee appointed was occupied entirely with the investigation of the case of the municipal corporation of Liverpool. Much conflicting evidence was adduced, both as regarded the legal title of the corporation to levy town dues, and the application of the funds so collected: and the Committee closed their proceedings without any expression of opinion.

Every effort made by the Legislature to deal with the taxing powers exercised by the corporation and Trinity House, Hull, and the corporation and Trinity House, Newcastle, has hitherto failed of success. The respective dues levied by the corporation at Hull are fully detailed in the Appendix to the Report of the Royal Commissioners in 1854. That body still claims the right to receive port dues of various kinds. The rates as now levied are given in the evidence of Mr. Wells, the town clerk of Hull. Though reductions have been made since "The Hull Dues Act, 1852," came into operation, it is admitted that the amount received in lieu of differential dues formerly levied on foreign ships, which in 1858 was 3,355*l.* 3*s.* 11*d.*, is still applied exclusively to borough purposes. A considerable portion of the remaining revenue levied on shipping by the corporation, amounting to 2,000*l.* a year, is stated to be spent upon the harbour and various works for the benefit of shipping; the receipts, however, of the corporation are all carried to one account, and it is at the discretion of the corporation to expend their funds in any way they please.

In the changes which since 1852 have been made at Hull, your Committee deem it right to point out to your Honourable House that, whilst the dues on shipping were maintained, and are perpetuated to this day, the water bailiffs' dues on goods, paid chiefly by the inhabitants of Hull, have been surrendered; and your Committee are not aware of any reason why the water bailiffs' dues should have been abolished in preference to the shipping dues, unless to secure a national tax in perpetuity, in exchange for a very obnoxious local tax, which injured the trade of the port.

The intervention of the Board of Trade in the regulation and control of

the affairs of the Trinity House, Deptford Strond, sanctioned by Parliament, has been productive of the most beneficial results; and it is highly desirable, therefore, that the irresponsible taxing powers at Hull and at other places, should be brought under some general system, with a view to economy and the proper application of the funds levied upon shipping and on goods carried in ships. It is quite impossible to draw any distinction in point of principle between the appropriation of those revenues formerly levied by the Trinity House, Deptford Strond, and applied to charitable purposes, and those levied by the Trinity Houses of Hull and Newcastle. The Trinity House at Hull, relying upon their charters, still apply 11,000*l.* a year to charitable purposes, the whole amount levied under the title of *primage dues* being charged on goods carried in ships.

Your Committee are of opinion that it is in the highest degree objectionable that so large an amount should be annually raised from shipping by a local corporation, and applied to purposes not directly beneficial to the merchants and shipowners, who are made to contribute compulsorily for the maintenance of these charities. Your Committee do not desire to underrate the benevolent character of these establishments. The almshouses at Hull thus maintained may be well conducted; but as Parliament, in the case of the charities of the similar corporation at Deptford Strond, has put an end to such charitable foundations as were incompatible with other institutions of the State, which provide for the relief of the indigent poor and aged, your Committee are of opinion that no sufficient reason has been given to perpetuate the powers exercised in this respect by the Trinity House at Hull.

With regard to the nautical school maintained by that body, it appears that a large proportion of the boys there educated rise in their profession, if they follow it. It further appears by the evidence, that the suggestion has been made of applying some of the large income of the Trinity House towards the establishment of a school ship at Hull, in co-operation with her Majesty's Government. Pending such decision as Parliament may finally take with respect to the whole question of preparing a scheme for the administration of its affairs, your Committee must especially direct the attention of your Honourable House to the "great fine" formerly charged exclusively upon foreign ships by the Trinity House, Hull, but now paid out of the Consolidated Fund. This fine was levied upon foreign ships, so as to discourage their employment, and so that our forefathers might not "lade and freight aliens and strangers, leaving their neighbours' ships to lye idle and unoccupied, whoe gladly would serve them." This principle of discouragement is now happily abandoned. It is, therefore, inconsistent with public policy that the Trinity House of Hull should continue to receive from the State annually about 8,000*l.* or 9,000*l.*, as compensation for the loss of a revenue, the collection of which from foreign ships has been pronounced by the Legislature to be impolitic, and which it has actually consented to get rid of by a money payment, rather than that foreign vessels should be deterred from frequenting our ports. The "small fine," which amounted, last year, to 1,800*l.*, is applied to the payment of the fees of the Elder Brethren of the Hull Trinity House. It is precisely analogous with the great fine. For these reasons, however, your Committee recommend that all payments from the public funds, under the Reciprocity Treaty Acts, to the Trinity House, Hull, should cease, under some equitable arrangement; and that the lights, buoys, and beacons, not being harbour

lights, buoys, or beacons, at present supported by the Trinity House, Hull, should be placed under the general control and supervision of the Board of Trade.

The master pilots and seamen of the Newcastle Trinity House claim their taxing powers upon shipping, substantially upon the same title as that put forward by the Trinity House of Hull. The corporation are governors of the pilots in Newcastle, Blythe, Sunderland, Hartlepool, Whitby, and Staiths, and all the other creeks and members belonging to the ancient port of Newcastle-upon-Tyne; and they claim to be entitled to levy primage upon all goods, except fish, imported into any of the creeks and members of the ancient port. This title has been established by the decision of a court of competent jurisdiction.

The Royal Commissioners, in their Report of 1854, describe minutely the various charges levied by the Trinity House Corporation. No satisfactory account has, however, come to the knowledge of your Committee of the gross and nett revenue of that body, so as to enable them to form a correct opinion of the income and expenditure. It seems, however, that it is sufficiently ascertained, that the expenses of maintaining the lights and beacons are very far short of the amount levied upon ships and goods carried in ships. Neither the shipowner nor the merchant receives an equivalent for the tax he is compelled to pay; and the application of the funds derived from these taxes to charitable purposes is questioned, upon the same public grounds as the similar appropriation has been condemned in relation to the sister institution of Hull. The Trinity House of Newcastle receives, for the privileged pilots of Newcastle, no less than 9,000*l.* a-year, as compensation for differential dues on foreign ships, for which, in many cases, no services are rendered.

The attention of Parliament will doubtless be directed to this anomaly, whenever the whole question of differential dues shall again become the subject of legislation. Your Committee recommend that the exclusive privileges enjoyed by the Trinity House of Newcastle should be dealt with in the same manner as suggested in the case of the Trinity House, Hull. In the same way your Committee recommend that the lights, buoys and beacons, not being harbour lights, buoys and beacons, at present supported by the Trinity House of Newcastle, be subject to the general supervision of the Board of Trade, and supported in the same manner as other sea-lights, buoys, or beacons.

The Hostmen's and other dues levied by the fraternity of Hostmen at Newcastle, and the local dues levied by other corporations and individuals, mainly to keep alive their claim to receive from the Government the amount of the extra charges on foreign privileged vessels, are all anomalies in our maritime fiscal system, which, in accordance with the recommendation of the Royal Commissioners, your Committee are of opinion should undergo revision, with a view to their extinction.

As regards the taxing powers on shipping exercised by the corporation of Newcastle, they are of the most multifarious character, but your Committee have not deemed it necessary to enter into such an extensive and minute inquiry as the investigation of these subjects would require. At Newcastle, the differential dues and exemptions in favour of the freemen of the place, are adjusted in an indirect manner. In practice, the same amount is collected on all goods and ships; but an account is kept, and a reimbursement of dues is made annually to the privileged freemen, in whose favour the

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exemptions have been claimed. With a view to facilitate our negotiations with foreign Powers, in order to secure complete reciprocity in dues and charges, it is of paramount importance that these exemptions should be discontinued, under some equitable arrangement. In making this recommendation, your Committee wish expressly to point out that, since the period when the Trinity Houses of Hull and Newcastle first obtained their chartered rights, and authority over lights and pilotage, numerous well-frequented rival ports have risen into commercial importance, and now regard with great jealousy the irresponsible power exercised by the parent jurisdiction. The great and rapidly improving ports of Sunderland and Hartlepool are still required to pay dues to Newcastle, for which they receive no benefit whatever. These ports, in many respects, rank as high in maritime importance as the port of Newcastle, and nevertheless are subject to vexatious payments as inferior members of that jurisdiction. Besides the above places in the district of Newcastle, the example of Bristol, with the ancillary ports of Cardiff and Newport, furnishes another illustration. Though a much greater amount of tonnage frequents either of these ports than the original port, Bristol still retains its exclusive right of pilotage, and also claims from the ports of Newport and Cardiff 700*l.* per annum in the shape of "haven-masters' fees. It is very desirable that any conflicting or rival interest of this kind should not obstruct the march of improvement in legislation applied to administrative purposes, affecting the commerce and navigation of the kingdom. All similar monopolies and unjust charges now levied upon ships, or upon goods carried in ships, for which no benefit accrues to the parties who are compelled to pay them, constitute a heavy grievance and burden upon shipping; and as they tend to divert trade from its natural channels, it is very desirable that they should be forthwith extinguished.

*Passing Tolls.*—In making this recommendation, your Committee must especially refer to the subject of passing tolls. A tax levied upon ships for the maintenance of a harbour into which such ships never, and in most cases, cannot enter, and which many of them do not pass, is so obviously unjust in principle, that it has received general condemnation. The question of passing tolls now levied upon shipping for the maintenance of the harbours of Ramsgate, Dover, Whitby, and Bridlington respectively, has been so frequently brought under the consideration of Parliament, that it is unnecessary for your Committee to enter into details; and they can only express surprise that some effectual steps have not been devised to get rid of an impost which is pronounced to be a vexation, a grievance, and a burden, from which the shipping interest ought to be relieved.

Her Majesty, in her Royal Speech from the throne, at the commencement of the Session 1856, graciously assured both Houses of Parliament that "the system under which merchant shipping was liable to pay local dues and passing tolls, having been the subject of much complaint, measures would be proposed to Parliament for affording relief in regard to those matters." Every proposal to deal with this subject has, however, been rejected. Notwithstanding that the impost of passing tolls, as at present levied, rests upon no ground of policy or justice, difficulties have always been interposed in procuring their abolition. The debts and liabilities contracted under the authority by which passing tolls are levied, have been the chief cause of the rejection of the various measures submitted to Parliament. Your Committee perfectly concur in the general principle that no

tax levied known by the name of passing tolls ought to be levied by or on behalf of harbour authorities on any ship, or on any goods carried in ships, unless such ships enter such harbours.

In regard to the harbours of Dover, Ramsgate, Whitby, and Bridlington, considering the various vested interests which would be affected by the proposed change, your Committee are of opinion that a scheme of administration and of future management, with due provision for the payments of all existing liabilities, should be prepared by the Board of Trade for the sanction of Parliament, with a view to the speedy and final abolition of the passing tolls levied on ships for the maintenance of these harbours.

Your Committee, referring to the Report of the Royal Commissioners of 1854, with regard to certain dues still levied by the Russia Company on ships and on goods carried in ships, deem the continuance of any such tax quite unjustifiable. In the present state of our political and commercial relations with the Emperor of Russia, no exceptional legislation is required to secure protection for English residents in the dominions of Russia. The charter granted to the Russia Company in bygone ages has survived its original design; and the religious and charitable objects, however pious or benevolent their character, to which the dues on goods carried in ships are applied, having but little reference to maritime trade, ought not to be compulsorily cast upon merchants and shipowners who do not receive any direct benefit from them.

Your Committee being aware that negotiations are now pending between her Majesty's Government and the King of Hanover, with reference to the Stade Dues, deem it only necessary to urge upon your Honourable House that every possible effort should be made to secure the speedy abolition of this vexatious impost, which is not merely a heavy burden upon shipping, but also a serious hindrance to commerce.

*Recent Legislation.*—Your Committee will now proceed to advert to various points of more or less importance connected with recent legislative enactments. In doing so, your Committee readily bear testimony to the efforts made of recent years by Parliament to simplify, improve, and consolidate the laws affecting merchant shipping. The legislation since 1835 has in many respects been judicious and beneficial, though in others it has been carried to excess.

When so much has been achieved, errors and omissions have been perhaps unavoidable. It has been urged by various witnesses, that in some instances a zealous wish to accomplish very desirable improvements, and to protect the interests of the public, has led to the adoption of legislative regulations possibly of a too minute and restrictive character. Objections have also been made to some provisions of the Merchant Shipping Act of 1854, and of the Passenger Act of 1855, as tending to hamper the energies of the shipowner and the genius of the shipbuilder: and that the law, by insisting upon certain express requirements and provisions, frequently dictates with unnecessary interference how a ship should be built, fitted, manned, and navigated. Your Committee are of opinion that the scope of legislation, unless in exceptional cases, ought to extend no further than to secure solidity in the construction and sufficiency in the equipments of the ship; and that various minute regulations, now specially enforced by Act of Parliament, should be watched by the Board of Trade, with a view to remove every reasonable objection of undue official interference with the

liberty of action of the owners; and to make these regulations conform to the rapidly improving spirit which pervades every branch of scientific and maritime enterprise.

*Merchant Shipping Act and Shipping Offices.*—The Merchant Shipping Act conferred a great boon on the shipping interest by collecting into one intelligible statute the obscure and scattered provisions of more than 1,000 sections, beginning with the reign of Queen Elizabeth. The arrangement of this Act in different parts according to different subject-matters, and the concise use of ordinary language in place of the usual phraseology adopted in Acts of Parliament, were new features in Parliamentary drawing, and of especial value in an Act containing regulations for the guidance of seamen and others. In regard to this Act, there have been numerous alterations suggested by various witnesses. It is, however, impossible for your Committee to enter upon these in detail without far exceeding the usual limits of a Report. On the other hand, there are some suggestions which require a special though brief notice. For instance, the statements made by the chairman of the Mercantile Marine Association of Liverpool, and by the secretary to a similar association in London, with the remarks of the secretary to the Marine Department of the Board of Trade upon the former, embodied in the evidence, will no doubt receive from your Honourable House all the attention their importance deserves. And in any measure relating to the revision of this Act which may be submitted to Parliament, your Committee are of opinion that many of the suggestions may be advantageously adopted. These, however, would better be left with the officers of the Board of Trade, by whom any such measure will, as heretofore, be prepared.

Respecting the admeasurement of ships and the allowance to steam vessels, your Committee feel that, as the new law is based, as a whole, upon the most equitable principles, and that as it has answered exceedingly well in practice, they are of opinion, that any alterations in detail which experience may have shown to be necessary, cannot be dealt with by your Committee, and should be left to the Executive. The system of registration was also remodelled by the Merchant Shipping Act, and your Committee understand that it has worked with perfect success. The leading feature is that it enables an owner to give an absolute title to an innocent purchaser, and at the same time, in case of fraud or breach of trust, it gives a remedy against the fraudulent person. That it has been successful in this, which, as was stated on the introduction of the Act, is the desideratum of every system of registration, whether of ships, of land, or of other property, is shown by the fact that Sir H. Cairns, in introducing his Bill for the Transfer of Real Estate, quoted it as the model. Your Committee desire further to observe that, under this system of registration, shipping property can be transferred and mortgaged with a facility and security of which no other species of property has the advantage. This transfer is effected by the Customs Establishment absolutely, without expense of any kind to the ship-owner; and further, not only is his conveyancing thus done for him, but transfers and mortgages of ships are entirely free from the stamp duties which attach to every other species of property.

The various minute regulations affecting discipline, offences, recoveries, and applications of fines and penalties, are so mixed up with other considerations, in connection with the criminal law of the country, and with its general fiscal policy, that your Committee need only especially recommend

their consideration to the legal adviser of the Board of Trade in preparing any future revision of the present law. The question of the "Rule of the Road," and of an international system of lights at sea, when vessels meet each other, deserves, however, particular attention. This section, in the Act as it stands at present, is most unsatisfactory, however the decision of our Courts of Admiralty may have modified its dangerous tendency. The evidence given is conclusive, that some change in the existing regulation is necessary; and your Committee express a hope that the Board of Trade will take steps to move the Foreign Office to communicate with foreign Powers, with a view to the adoption of some common system, founded upon general practice and professional experience; and that our law may be altered accordingly.

The subject of volunteering into the navy has been much dwelt on; very stringent orders have, your Committee are informed, been issued by the Admiralty on this subject; and an improvement of the law was effected in 1853, by giving to the shipowner power to recover from the Admiralty any excess of wages he might have to pay to substitutes; considering the small number of men who have actually volunteered into the navy (215 in 1859), this power has been acted on to a considerable extent, 1,180*l.* having been paid by the Admiralty in that year; but it has been represented to your Committee that the great evil of the law arises not so much from the actual loss of the men, as from the power over the master which the liberty of breaking his agreement gives to a refractory seaman, and the insubordination which is the natural result. Your Committee are aware that in cases of urgency the safety and efficiency of her Majesty's ships must be the paramount consideration; but they believe that this object might be effected without so much injury to merchant ships if the power of volunteering were limited to times and places where there is actual war; and that even in this case the officers of her Majesty's ships should be required to communicate with the master of the merchant ship, with a view to see what arrangements can be made, so as least to distress the merchant ship, before communicating with any of the crew, or encouraging them to break their agreement by volunteering into her Majesty's service.

The superintendence established by the shipping offices, under the Merchant Shipping Act of 1854, over the registry, engagement, and discharge of seamen, has not been sufficiently long in operation to enable your Committee to pronounce a decisive opinion upon its advantages. There appears a diversity of opinion among shipowners, respecting the general utility of these offices. Several shipowners, especially from Hull and Sunderland, express an unequivocal condemnation of them, viewing them as an unnecessary medium between the employer and the employed. Other witnesses regard them in a more favourable light; and the chairman of the Liverpool Shipowners' Association expresses an opinion that these offices have been a great advantage. The Legislature, in establishing the shipping offices, had, doubtless, several objects in view: to secure a registry of the seamen available at all times, in the United Kingdom; to afford facilities for engaging seamen for merchant vessels; to prevent crimping, together with other duties; and to provide means for securing the presence on board, at the proper times, of the men so engaged. The shipping offices are also an essential part of the machinery necessary for the establishment of the Royal Naval Reserve; and if the plan of school ships for seamen, and for a voluntary merchant seamen's fund, recommended by the Com-

mission, is adopted, the services of the shipping masters will be essential to its success.

The evidence, however, given before your Committee does not establish the proof that these offices have greatly conduced to prevent desertion, or afford facilities for an accurate registry of the seamen available. The offence of desertion after the seamen have signed articles, has been but little abated, except in Liverpool, where, in consequence of the appointment of a superintendent, armed with power to prosecute offenders, the desertions which, in 1854, were 1,872, and in 1857, 1,716, fell in 1858 to 492, and in 1859 to 517. A suggestion has, therefore, been offered, in which your Committee concur, that it would be desirable to arm some officer at all the principal ports with power to prosecute offenders to conviction, with a view to abate the offence of desertion, and of not joining the ship when ready to proceed to sea, after a contract had been signed by the seaman. Your Committee also think that the relief given by British consuls to seamen in distress, may be administered on a sounder principle than at present; and that in administering it a clear distinction ought to be drawn between men who have fallen into distress in foreign ports by their own misconduct in deserting, and those who have been shipwrecked, or reduced to distress without fault of their own.

But if desertions at our home ports are not diminished, unless at ports where a strict control is exercised, desertions of British seamen abroad, and especially in our colonial ports, are still very numerous, and constitute a serious grievance and a pecuniary loss to the shipowner. Mr. Gilmour, of Glasgow, shows, by a paper prepared by him, that from the year 1851 to the 31st December last, the total number of deserters from the ships belonging to his firm, amounted to no less than 3,003 men. Whilst deploring this state of things, in which British seamen under engagement transfer their services, and often their allegiance, to a foreign flag, no practical remedy has been suggested by any of the witnesses, to prevent this and similar offences perpetrated out of the country. It would seem that the British seaman, exhibiting in every part of the world one of the characteristics by which he is distinguished, roams from one ship to another, not always tempted by an increase in wages, but often incited by a pure love of change. At Quebec, where the wages for the homeward voyage are greatly in excess of the wages outwards, desertion is carried on systematically; and a sailor having deserted from a ship belonging, for example, to Mr. Gilmour's firm, will often return home in another vessel belonging to the same owners. The whole question of desertion by British seamen abroad has been so frequently the subject of consideration, viewed especially as it bears incidentally upon manning the Royal Navy, as well as our merchant shipping, that your Committee feel a hesitation in indicating a course of action which might inflict greater severity upon similar offences than now exists; as they fear that exceptional legislation directed against the British merchant seamen might further alienate their feelings of attachment to the service which it should be the object of the Legislature to encourage.

To apply a summary punishment with a view to lessen or suppress special offences, great circumspection would be necessary. In our own possessions abroad it is not always possible to put in motion any process of law against a seaman who deserts, and who designedly and deliberately violates his contract with the shipowner. In foreign countries, the British consular authorities have still less power to enforce any adequate repressive punish-

ment suitable to the various cases which arise. Even in our own ports, it is often found inexpedient and troublesome to punish the sailor who, it is alleged, "has signed for five ships within eight days, and received an allowance from them all." Shipowners and captains of vessels invariably decline to have recourse to coercive measures to put the law in force against deserters. The shipping master is not empowered by law to refuse to ship a man who he knows has engaged for another ship; and each party is content to forego proceedings, provided only he can secure the services of the man and get him on board. The impunity, therefore, with which desertion is now carried on, necessarily encourages the practice; but the scrupulous regard with which the liberty of the subject is held by the Legislature precludes the idea of investing the shipping master with a power of summary punishment; and the enforcement of any more stringent regulations than those which already exist must be deprecated, if such coercion should tend to place the shipping master and the seaman in antagonism. It would be a matter of regret, and, indeed, would materially diminish the utility of the shipping offices, if the seaman should be deprived of that friendly help in family or other affairs which he now seeks from the shipping master in time of trouble.

From the evidence adduced before your Committee, it does not appear that the institution of shipping offices, as they are at present organized, provide the machinery requisite for bringing the sailor under cognizance of official authority, so as to render him subservient to State purposes whenever an exigency might arise. But all parties bear unequivocal testimony to the beneficial effects produced by the facilities afforded the sailor for depositing his money in safety at the shipping offices, and of remitting any portion of his pay by means of a money order to his relations, or other parties at a distance. In proof of this it has been shown to your Committee, that these shipping offices are made instrumental in effecting various collateral objects, which they cannot but regard as of great importance to seamen, to the shipping interest, and to the country. By this system, a seaman, when paid his wages, can remit them, without charge to his relations, at any other port; and it is with great satisfaction that your Committee have learnt that the system has been eagerly adopted by seamen. The number of money orders issued has increased year by year; and in 1859 no less than 160,000*l.* was remitted in 25,000 separate orders, averaging between 6*l.* and 7*l.* each, all of which may be looked upon as saved for the seamen's families by this system. The sums paid in and the balances deposited in the savings banks at the shipping offices, are not up to this time very large, but they are steadily increasing. The shipping offices also afford the means of recovering, giving a receipt for, and paying over to the relations, the wages and effects of seamen who die on service. In 1859, no less than 29,500*l.* was thus received; of which 21,600*l.* were distributed in sums averaging about 10*l.* each to relations, and nearly 8,000*l.* carried to the Exchequer as unclaimed. Whatever opinions may have been expressed adverse to the shipping offices, your Committee cannot recommend their discontinuance; they are of opinion that, in any plan which Parliament may hereafter adopt for the establishment of a seamen's fund, to which the seamen of both the royal and merchant navy would be contributory, the facilities afforded by the present shipping offices would greatly promote the success of such a measure. And your Committee are of opinion that the efforts of Parliament should be directed to carry out some such measure, combined with

the establishment of training ships, in the various outports of the kingdom. Your Committee especially urge upon the consideration of your Honourable House, whether some measure cannot be conceived and framed by the wisdom of Parliament, so as to bring the whole of the seamen and seafaring population of the United Kingdom under some general and comprehensive regulation, whereby a system of registry and limited service might be established.

Your Committee submit that the objects to be obtained by such a measure, which could only be carried successfully through Parliament by high administrative talent and the patriotic influence of men of all parties, would be to place the relations of the shipowners and the seamen in their employ upon a just and satisfactory footing; to establish a naval reserve upon broad, liberal, and national principles, so as to conduce to greater harmony between the merchant service and the royal navy, and thereby secure for the nation the ready and willing service of all her sons in time of war.

Your Committee desire to notice the efficient provisions which have been made by this Act for the preservation of life and property endangered by casualty and shipwreck. Life-boats and their crews are in most instances subsidized, and brought into a system of efficiency and order through the medium of the National Life-boat and other similar institutions; the rocket and mortar apparatus placed along the coast in the hands of the coast-guard, has been renewed and reorganized; medals and other rewards are largely given for services in saving life from shipwreck; a legal claim to salvage out of the proceeds of a wreck has been given to persons who save life, and this claim takes precedence of claims for salvage of property. Large powers and duties for protecting wrecked property have been committed to and are efficiently exercised by the officers of Customs and Coast-guard, who thus discharge upon the coast the duties of maritime police; and prosecutions are invariably instituted by the Board of Trade against persons who are detected in plundering wrecks. The details of the working of this part of the Act are to be found in the *Wreck Register*, published annually by the Board of Trade; and your Committee have satisfaction in expressing their opinion, that in this respect the Merchant Shipping Act has not only removed the abuses which existed under the former Wreck and Salvage Act, but has been of great service in the protection of property and in the saving of life.

Your Committee cannot conclude this part of their Report without bearing testimony in approbation of the system, established in recent years, for the examination of masters and mates of merchant ships; a marked improvement is undoubtedly observable in this class of officers, and nearly every witness has concurred in recognizing the practical advantages of the system.

*Passenger Act, and Chinese Passenger Act.*—The objections raised by many of the witnesses respecting the liabilities incurred under the Passenger Act of 1855, have been frequently so confused with complaints of various provisions of the Merchant Shipping Act of 1854, that your Committee, having stated their opinion respecting the owner's liability in cases of loss of life, need not recur to that point. Your Committee must, however, remark, that the allegation that the liabilities to which the British shipowner is subjected under the terms of the two before-mentioned Acts, have had the effect of throwing a large portion of the passenger trade into the hands of foreigners, is disproved by the evidence of the Chairman of the

Emigration Board, and of the Assistant Secretary of the Board of Trade; who demonstrate that since the first extensive Passenger Act in 1852, the percentage of British ships conveying passengers to the United States, as well as the number of steerage passengers, have exhibited a marked increase, instead of a diminution, as alleged. An opinion, founded from the returns of one port alone, viz. Liverpool, has led to some misconception. The Americans, at all times, possessed a preponderating share of the passenger trade from Liverpool to the United States, but the share they acquired from its commencement has not increased. It is shown further that the richer class of passengers, who formerly went in United States ships, now cross the Atlantic in British steamers; and, in fact, British capital and perseverance have acquired a predominance in that branch of the passenger trade which was formerly carried on by a very fine class of American sailing vessels, known familiarly as the "liners." In emigrant ships which carry poor passengers to all parts, the relative tonnage has increased from 350,000 tons British against 470,000 tons Foreign in 1853, to 280,000 tons British, against 240,000 foreign in 1859, and the proportion of passengers carried in British ships has increased correspondingly.

The returns put in by the Board of Trade dispel every notion that the passenger trade of the country is falling into the hands of foreigners; but, at the same time, your Committee are sensible that it is of the greatest importance, that whilst every wise, humane, and proper provision should be enforced by law to secure the safety, health, and comfort of passengers conveyed in ships, vexatious regulations should be avoided, which tend to hamper unnecessarily the shipowner in the prosecution of his business. Any statutory regulation, applicable to British ships only, which, from the absence of effectual legislative control over foreign ships, places our shipowners at a disadvantage in the competition to which they are now subject, is especially to be avoided, and ought only to be adopted from overwhelming considerations of public policy, or with a view to the safety of life and property.

Your Committee have had many complaints laid before them of several of the provisions of the Merchant Shipping Act, in cases where that Act becomes applicable to steam ships carrying passengers. It appears that the Board of Trade does not interfere with cargo vessels; but if a vessel carries "a passenger" according to the interpretation clause of the Act, the Board of Trade steps in, and exacts all the requirements specified by law. One of the witnesses, Mr. Laird, complained of the qualifications of the Government surveyors, as compared with those of many of the shipbuilders. Another witness made complaints of the "spacing of the bulkheads" as required by the Act, having the effect of rendering the ship comparatively useless for the purposes of carrying cargo.

Your Committee are unable to make special recommendations upon these and many similar matters, and they must refer your Honourable House to the details as set forth in the evidence. The difficulty of legislating upon minute regulations, which seem to bear harshly upon individual cases, whilst in the main they effect the object in view, is so obvious, that, except in regard to iron vessels, which deserve greater attention from their comparative novelty, your Committee are of opinion that only such changes should be effected as experience may prove desirable. With regard to iron vessels, and the general duties of the surveyors, your



Committee think the discretionary power of the Board of Trade, as limited by law, may be trusted in the framing of the requisite instructions to guide the officers under the control of that department; but your Committee are of opinion that those instructions should be framed to meet the great improvements which are constantly taking place both as regards construction and equipment.

As regards the 3rd section of the Passengers' Act, by which a vessel carrying two passengers to every 100 tons is brought under its provisions, your Committee, having heard the explanation given by the intelligent chairman of the Emigration Board, of the reasons which prevailed with Parliament to alter the lower limit established previously to 1855,—and his statement that if the limit of the old law was again made the rule, a large number of passengers would be carried without bringing the ships under the Passenger Act,—are nevertheless of opinion that an extension might be made of the existing limit, so as to allow three passengers to every 100 tons register, so long as the number of passengers in any one ship did not exceed fifty; and your Committee recommend an alteration in the present law accordingly. A corresponding relative increase might be made in the number of passengers allowed to be carried by steamers.

The complaints made by many witnesses of the hardship and excessive liabilities to which shipowners are exposed by the statutory obligations in the present Passenger Act, in the event of a ship being disabled in a foreign port, to send on the passengers through the intervention of the consular authorities from the place where the passengers are detained, to the port of destination, seem in a great measure to rest upon an imperfect knowledge of the actual state of the law. Several witnesses, largely engaged in the passenger trade, are under the impression that an unlimited liability is incurred, and that, "at any cost whatever," the passengers must be sent on at the expense of the shipowner. It has been stated, in every variety of form, that this obligation deters respectable parties from embarking in the passenger trade, and that enormous sums have been drawn upon the Treasury, to be reimbursed by the shipowner, in fulfilment of his engagement with the passenger. It is further urged, that foreign vessels, especially Americans, are exempt from this liability, the owners or agents of these vessels being only required to give bond for 2,000*l.*, the enforcement of which, in the event of disaster, is practically impossible.

Your Committee cannot recommend any change in the provisions of the Passengers' Act in this respect, except, if practicable, to bring the foreign ship under precisely the same obligations as the English ship. Your Committee are of opinion that the common law of England, enforced by the statutory provisions of the Passengers' Act requires the shipowner to fulfil his contract of affreightment, and to deliver his passengers at the port of destination stipulated in the agreement between the parties. There is no valid reason to believe that any foreign law differs from our own in this respect, though other nations may not be so largely engaged in the passenger trade, and, therefore, such liability would not so frequently arise.

But the Passenger Act of 1855 expressly limits the liability of the shipowner to double the amount of the passage money paid. From any such additional risk the shipowner can protect himself by insurance; and from all liability of any excess above that amount, incurred and drawn for by the consul abroad on the Treasury, the shipowner is now relieved by law. The expense actually paid by Government since 1849, not including the *John*

and *Lucy* and some others, has been 16,650*l.*; whilst the amount recovered from shipowners has been only 5,260*l.* There is 20,000*l.* still in dispute, a large portion of which will, no doubt, fall upon the Treasury. As regards the apparently exorbitant outlay which is reported in the cases of the *John and Lucy* and *Accrington*, your Committee urge that measures should be taken to audit and control the accounts and charges made by the consul in similar cases, with a view to prevent the necessity of more stringent regulations being adopted by the Government in the supervision of passenger vessels prior to their departure, which otherwise might be insisted upon by Parliament. The present law having been framed pursuant to the recommendation of a Committee of the House of Commons, which sat in 1851, with a view to overcome the difficulties which previously existed in cases where a ship was wrecked upon a foreign and inhospitable coast, and the Government having, in the first instance, assumed the expense of supporting and sending on the passengers, your Committee could not propose to alter a law which had its origin in a desire to save human life. It having been given in evidence that the liability to the amount of passage money received, as fixed by the Act of 1852, was found inadequate to meet the expenses incurred, and, as in the instances already referred to, very large sums will be paid by the Government in excess of the amounts recoverable from the owners under the present law, your Committee cannot recommend any alteration, especially as the additional risk incurred is made legally insurable under the 55th section of the Passenger Act.

The complaints made in respect of the exemptions from the provisions of the Passengers' Act, secured by law to vessels carrying a mail, deserve attention. Your Committee are of opinion that now that a large number of passengers are conveyed in foreign vessels carrying her Majesty's mails, which are accordingly exempted, under the Passengers' Act, from the supervision of the emigration officers at the outports, it is desirable that such exemptions shall be jealously watched; and care should be taken, in making future contracts, that foreigners should not thereby acquire any undue advantage over British shipowners in the passenger or carrying trades. As regards the limitation of the number of the crew in vessels brought under the supervision of the Emigration Board, your Committee, considering that the law has wisely left the shipowner liberty of action to man his ships with a greater or less number of seamen, at his discretion, are of opinion that express legislation upon this point is inexpedient. But as it is given in evidence that the Emigration Commissioners were willing to reduce the crews of vessels taken up by the Board, if the Admiralty sanctioned such a proceeding, and as the Admiralty did not think it expedient to take the responsibility of authorizing such relaxation in the vessels under their control, your Committee, though they see no reason to alter the terms of the existing regulation, which requires the vessel to be manned with an efficient crew for her intended voyage—are of opinion that a discretionary power may safely be left, without reference to the Admiralty, in the hands of the Emigration Commissioners, with a power of appeal against their decision. The minor alterations proposed in the provisions of the Passengers' Act, in respect of carrying dogs, horses, cattle; of the position of the water-closets; of ventilation, brokers' tickets, computation of the length of a voyage for a passenger ship, and other matters, will be found in the evidence; and though of considerable importance, they do not require special notice, as the amendment of these and similar regulations, many of

which require alteration, may be safely left to the discretion and judgment of the officers of the Board of Trade and the Emigration Commissioners, whose special studies and experience qualify them for dealing with such details.

In respect of the Chinese Passenger Act, 1855, the only witness examined upon the subject, an experienced shipbroker, states that there is nothing objectionable in its provisions, and that no alteration in the Act is required; but he admits that he has little or no knowledge of the trade. Very few British ships, it appears, are engaged carrying coolies from China to the West Indies, and it is currently reported that the regulations of the Act are so stringent that British vessels are prevented from entering that trade. It seems that the coolie trade is principally carried on by American ships; and it is stated that the conduct of the masters and crews of these vessels is notoriously so bad, that the attention of the United States legislature has been directed to the subject; not with a view to regulate the trade, but to abrogate it altogether, as regards United States vessels. It is right to add, that cases have been brought before the local Marine Board of London, which required that the conduct of masters and officers of British ships engaged in the trade should be investigated; but, your Committee rejoice to state, without implicating them in any of the atrocities which have taken place.

Your Committee, bearing in mind the mortality reported, in 1857, in certain vessels which carried coolies from China to the Havana, and reviewing the very proper and humane object which the Chinese Passenger Act had in view, are not disposed to recommend any material relaxations of the salutary provisions of that Act; and they submit that the suggestions for prohibiting British vessels from carrying Chinese passengers, familiarly known as coolies, to slave-holding states in America, or to any country where slavery is tolerated, is well worthy of the favourable consideration of your Honourable House.

*Stamp Duties.*—Your Committee are of opinion, considering the reduction which in many cases has been made in the stamp duties, that the existing impressed stamp of 5s. on charter-parties might with propriety be reduced. The ordinary mode of transacting the business of charter-parties occasions, as will be seen by reference to the evidence, very great inconvenience, and leads to considerable evasion of the stamp duties, especially in the coasting trade. The reduction to 1s. by an adhesive stamp, would doubtless yield as large if not a larger revenue than is derived from that source at present; while it would be a relief to shipowners, and afford greatly increased facilities for the transaction of business. The remission of the stamp duties on marine insurance, which are almost exclusively levied on English and not on foreign policies of insurance, would be a great boon to the shipping interest. If the state of the public revenue should not admit of a total abolition, your Committee earnestly recommend a revision of the present scale of stamp duties on marine assurance, with a view of effecting a large reduction of the present rates. Whenever similar reductions have been carried out, the revenue has almost invariably increased, and your Committee cannot doubt that a similar result would follow if the experiment made in 1844 were repeated. The shipowner claims relief from this special burden to aid him in competing successfully with the foreigner, who in some maritime states is altogether exempted from the tax; while in the United States of America, the charge is only "one dollar

or a dollar and a quarter on each policy, whatever the amount may be." In conclusion, your Committee, though they have not felt it necessary to offer an opinion upon matters purely of detail, have, they trust, in an impartial spirit, given to all the important questions referred to them their most attentive consideration; and, in closing their Report, they desire to express an earnest hope that your Honourable House will support the views of your Committee, so that their recommendations may receive, at the earliest period, that attention from her Majesty's Government which their importance demands.

The Committee examined the following witnesses:—Mr. Clifford Wigram, of Messrs. Money, Wigram, and Sons, shipowners, London; Duncan Dunbar, shipowner; George Marshall, shipowner; Richard Green, shipowner; William Phillips, shipowner and broker; Allan Gilmour, shipowner; George Frederick Young, shipowner and shipbuilder; John Burns, steam shipowner; James Beazley, shipowner and merchant, Liverpool; James Smith, shipowner, Liverpool; William James Lamport, merchant and shipowner, Liverpool; Robert Dalgleish, M.P., Glasgow; Captain Benjamin Sproule, shipowner, Liverpool; Samuel Robert Graves, shipowner and merchant, Liverpool; Arthur Anderson, steam shipowner, chairman of the Peninsular and Oriental Company; Henry David Blyth, of Blyth and Green, shipowner, London; Henry John Atkinson, merchant and shipowner, Hull; John Lumsden, shipowner, Hull; Zacharia Charles Pearson, shipowner, Hull; David Richardson, merchant, Glasgow; Ralph Milbanke Hudson, shipowner, Sunderland; Charles Langton, chairman of the Underwriters' Association, Liverpool; Taylor Potts, shipowner and merchant, Sunderland; Conrad Greenhow, shipping master, Shields; John Robinson, chairman of the Shipowners' Association of South Shields; Edward Shimells Wilson, secretary to the Trinity House, Hull; Robert Wells, town clerk, Hull; Mark Whitwill, shipbroker, Bristol; Thomas Eustace Smith, shipowner, London and Newcastle; Anthony George Robinson, steam shipowner, London; George Bayley, shipbuilder; Macgregor Laird, on behalf of the steam shipping interest; Julius Thompson, shipowner and merchant, London; Thomas Miller Mackay, merchant and shipowner, Liverpool; John Holman, shipowner, Mr. Topsham, chairman of the Exeter and West of England Shipowners' Society; Thomas Henry Farrer, assistant-secretary for the Marine Department of the Board of Trade; Edmund Hammond, Under Secretary of State for Foreign Affairs; John Knapp, deputed by the Town Council of Newport; William Innman, Philadelphia Steam Ship Company; Thomas Bury Horsfall, M.P.; Captain Bartholomew James Sullivan, R.N., of the Board of Trade; James Jackson, secretary of the Mercantile Marine Association, London; Thomas William Clinton Murdoch, chairman of the Emigration Commissioners; Captain William Drew, shipowner; and William Bonar, secretary to the General Shipowners' Society, London.

The following items are gathered from the evidence of witnesses and from the documents inserted in the appendix to the Report.

*Competition.*—Messrs. Wigram, Phillips, Young, and others were of opinion, that the British shipowner can well compete with the foreigner, provided all restrictions and differential dues were removed; if, in fact, he were placed on the same footing with them. But Mr. Dunbar stated that, even with perfect free trade and entire responsibility, the British shipowner could not compete with the foreigner. Mr. Dunbar, speaking

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of the mode of manning ships by foreign countries, said, "We have got into a different way; we are an old nation, and we have old habits, and our sailors and every one have acquired those habits. The Americans are a new nation, and they go more heartily and willingly to work than we do." Mr. Green, on the other hand, concluded that if all burdens were removed we would be able to compete with all other nations for the long-voyage trade, but not for the short-voyage trade. Mr. Young, however, said, that if we continue for many years longer to conduct our maritime commerce upon the principles that now prevail, we shall sink into a second or third rate maritime nation. There is a difficulty, in the score of wages, in competing with foreigners. Northern nations, such as the Swedes and Norwegians, sail their ships more cheaply than we do.

*Employment of British Tonnage.*—Mr. Young believed that the British shipping engaged in the colonial trade may be taken at about 1,500,000 tons. The tonnage engaged in the coasting trade of the country may be taken at about an equal quantity; namely 1,500,000 tons. The colonial tonnage, that is the tonnage registered in the colonies, was 960,828 tons; and perhaps 250,000 tons of shipping are lying up in our ports from various causes: some for sale, some waiting for the season for the renewal of the voyages of the trades in which they are engaged, and for other causes. And probably 1,500,000 tons are engaged in the foreign trade: thus making in all about 5,500,000 tons as the aggregate of our shipping. Mr. Beazley was of opinion that our legislation with regard to shipping has had the effect of discouraging British shipowners from adding to their tonnage; and that a very large amount of tonnage is owned by Englishmen under a foreign flag, particularly the American flag. It is also done in Spain and in France. The law in France is, that before a man can derive the benefit of a French subject he must be a French subject. It is the same in America as in this country; the person must swear that he is a natural-born American subject, and that no foreigner has any interest in the ship. But the difficulty is surmounted by mortgages. An Englishman lends money on a ship and gets a mortgage upon it, he shields himself in that way; he gets some one to swear in America that the owner of the ship is an American owner; he borrows the money upon mortgages, and so he secures himself. British money is applied in that way, because the property can be sailed more cheaply under foreign flags.

*Cost of sailing British and Foreign Ships.*—The cost of sailing a British ship is higher, because foreign ships are sailed with fewer hands. The custom is to have much larger crews in each ship. It does not cost more to victual an English than an American. But it is different with respect to Swedes and Norwegians, who give their men black bread and rancid butter. Mr. Green and Mr. Marshall both said that an American ship may be sailed, as a whole, cheaper than an English. Mr. Holman showed the difference in the cost of sailing a Danish and a British ship. The cost of the Danish ship was: wages of sailors, 25s. a month; carpenter, 1l. 5s.; cook, 1l. 5s.; mate, 2l. 10s.; master, 4l. a month and 5 per cent. on freight. Taking all together, the Danish ship of 390 tons could be sailed for 232l. 10s. a year less than a British ship of the same tonnage. And as to the cost of building ships, quality for quality, we can build our ships as cheaply as any country. Our Sunderland builders could well compete with Norwegians and Swedes in inferior class of ships. Different materials are used for different classes

of ships. The higher class of vessels may be made cheaper in this country than in Norway. Whilst many British ships are sold to foreigners, few foreign ships are sold to British owners.

*Manning of Ships.*—Foreign ships generally are not so well manned as British ships, except in the case of the Dutch. Mr. Lamport stated that, on an average of seven British ships, there were two men and six-tenths for 100 tons. Mr. Gilmour said that he employed  $3\frac{1}{4}$  men for 100 tons. The number of men for 100 tons, for the aggregate tonnage, in the home and in the foreign trades of the United Kingdom, for 1849, was 4·9, and for 1859 was 4·0; while taking sailing vessels alone, the number of men per 100 tons was 4·8 in 1849, and 3·7 in 1859. In Norway, the same thing has happened, or something like it. The number of men there employed per 100 tons in 1850, was 5·5, and in 1853 4·8; and the reasons, probably, are competition and improved machinery for the purpose of facilitating manual labour. For sailing ships alone, the number per 100 tons of sailing ships was 4·8 in 1849, and 3·7 in 1859. The same thing is to be found in America; in United States ships taking the number per 100 tons for 1848, and comparing it with that for 1858, we find that the number of men in 1848 was 4·19, and in 1858 3·23. The increased demand for labour of all kinds, and especially for the Royal Navy may have greatly contributed to this reduction.

*Seamen.*—Mr. Dunbar said, that he was obliged to employ many foreign seamen, on account of the short supply of British sailors. Many of them are very good men. With the exception of America, none of our seamen go in foreign ships. Mr. Gilmour was of opinion, that British seamen were greatly deteriorated and disorganized within the last ten years. Another class of men now enter service. The annual drain is largely made up of landmen and foreigners. And, through the admission of foreign competition, British seamen seem to have lost all natural feeling and patriotism; and the result, in the event of a maritime war, would be ruinous to this country. Most of the witnesses stated, that the increase of our seamen has not kept pace with the increase of our tonnage. Mr. Phillips said that some foreign seamen are capital sailors, and are necessarily often employed. There is a great increase in the number of foreign seamen employed in our mercantile marine. In 1851 we had 5,793, in 1852 we had 5,700; in 1853 we had 7,321, in 1854 we had 13,200, in 1855 we had 12,927, in 1856 we had 13,321, and in 1857, 14,375: whilst of British seamen in 1848 we had 152,611, and in 1857 176,387—or about 24,000 more. And we had 10,000 increase of foreign seamen upon 4,000, against 24,000 on 15,200. The great increase was between 1853 and 1854. Many of our captains prefer Swedes and Norwegians to British sailors, on account of their obedience. Mr. Greenhow stated that the introduction of foreign seamen has depreciated the British seamen, and elevated the foreign. The foreign seamen is educated in our service. We are enabling the foreigner to compete with us on the sea.

*Desertion.*—A great many desertions take place. It would be well if the shipping-master had magisterial powers for at once punishing a man guilty of desertion, after signing the ship's articles and joining. The practice of deserting has been increasing of late. Large desertions take place abroad. There are two reasons why men desert; one is because very profitable employment can be found on shore; another is, that so many new ships

are built, both in the United States and in the British provinces, which require crews to bring them home, that there is a demand for seamen both in the States and in the colonies, greater than the supply. In Canada desertion is quite common; there is a crimping system there which has been very bad. In Mr. Gilmour's ships alone, there were 3,003 deserters in the years 1851-59, the total loss being 26,711*l.* 6*s.* 4*d.*, or an average of 8*l.* 17*s.* 11*d.* per man.

*Depression.*—Most witnesses concurred in representing the exceedingly depressed state of shipping, and the difficulty of procuring freight. Mr. Dunbar was of opinion that the depression would continue, and end in our becoming a second-rate maritime nation. A ship built at a cost of 20,000*l.*, five years ago, could not be sold for half the money. Old ships have been quite unproductive. Mr. Young stated that there was a depression to the extent of 50 per cent. on the total amount of freight paid for the conveyance of sea-borne goods. Mr. Green, on the other hand, saw some improvement in every foreign trade in which he was engaged. The coasting trade has been very unremunerative. But steam navigation has greatly interfered with the coasting trade of sailing ships. There are now a large number of auxiliary screw vessels carrying coals from Newcastle. The competition of railways is another great cause of depression in the coasting trade. And when the foreign trade is bad, it sends the smaller vessels into the coasting trade, and overdoes it. Mr. Wigram, Mr. Marshall, and other witnesses, complained of positive losses for the last two or three years. Freight is unremunerative; there is greater loss in sailing a ship at unremunerative rates than in laying her up. Mr. Blyth said that in the last two years his firm lost about 25,000*l.* upon their thirteen ships. Mr. Wigram was of opinion that the excess of tonnage, through the increase of foreign ships and the consequent low freights, were the direct causes of the depression; and Mr. Marshall attributed it to the repeal of the Navigation Law, and the consequent superabundance of ships. Mr. Green attributed the depression to overtrading in ship-building and to the prosperity during the Crimean war. None of the witnesses would say that the depression arose from want of reciprocity. All agreed that our production was the main cause.

*Repeal of the Navigation Law.*—Mr. Wigram stated that the repeal of the navigation law has been a great injury to the British shipowner, by admitting the foreigner into our carrying trade, not having anything to compensate for it. Mr. Dunbar said that the repeal may have been beneficial to the outward trade, but the inward trade has not been benefited one iota by it. Through the Crimean war and other circumstances, the real effect of the repeal was not felt till three or four years after. Mr. Young looked upon the repeal as the most improvident, impolitic, and unjust measure that ever stained the legislature of this country. Mr. Green, on the other hand, was of opinion that the repeal of the navigation law has not much affected the foreign trade, but that it has been very injurious to the coasting trade of the country. Mr. Lamport stated that, independently of shipping, the repeal has been highly advantageous to commerce. The measure was a commercial necessity. In his opinion, the depression in shipping had nothing to do with the repeal of the navigation laws, and the benefits conferred thereby upon the British shipowner have more than compensated for the unfair competition in America.



## SAVOY.

*Correspondence respecting the proposed Annexation of Savoy and Nice to France.*

On the 5th July, 1859, Lord John Russell received from Captain Harris a communication, dated the 1st July, to the effect that the Swiss Government was very anxious respecting the projected annexation of Savoy to France. That it was of vital importance to the safety and independence of Switzerland that Savoy, and especially "Haute Savoie," should never be annexed to France; that if that were to take place, her flank would be laid completely open, and probably Geneva would soon follow. On the same day Lord John Russell learned from Earl Cowley that he had had some conversation with Count Walewski on the subject, but that his Excellency's language was not over satisfactory. He stated, indeed, that he could give positive assurance that there was no understanding whatever upon the subject between France and Sardinia; but he did not deny that the question had been more than once discussed, and that the Emperor had entertained the idea that if Sardinia was to become a large Italian Kingdom, it was not unreasonable to expect that she should make territorial concessions elsewhere. In answer to this, Lord John Russell wrote to Earl Cowley to remind Count Walewski of the Emperor's declaration at Milan, and to tell him that if Savoy should be annexed to France it will be supposed that the left bank of the Rhine and the "natural limits" will be the next object, and thus the Emperor will become an object of suspicion to Europe, and kindle the hostility of which his uncle was the victim. On the 9th July, Lord John learned from Earl Cowley that Count Walewski had given his assurance that the Emperor had abandoned all idea of annexing Savoy to France. And in answer to this communication, Lord John Russell instructed Earl Cowley to state to Count Walewski that her Majesty's Government highly appreciated the spirit which prompted his Imperial Majesty thus distinctly to disclaim a project which, while it would have contributed no real benefit to France, would have very materially affected the Emperor's reputation in Europe. For the Powers of Europe not only attach considerable importance to the maintenance of Savoy in its present relation towards Sardinia, but they would also have looked upon any attempt to sever that connection for the augmentation of the French territory, as a manifest contradiction of the disinterested policy which the Emperor had declared induced him to engage in the present war.

On the 3rd October, a communication was received from Captain Harris, dated 26th September, announcing that some anxiety being still felt respecting the rumoured transfer of Savoy, the Federal Council had prepared a memorial, showing the importance which they attached to the integrity of the south-western frontier of Switzerland being well secured, as contemplated by the treaties of 1815. This memorial was to be addressed officially to the great Powers signatories of those treaties, at the Congress which was expected to assemble at Zurich, should the Swiss Government have reason to suppose that the subject would be mooted there.

On the 24th November, 1859, Lord John Russell received from Captain Harris a note from the Federal Council relative to the neutral territory, asking in what position would the Savoyard provinces be placed should they be made part of the Italian Confederation, and how far would that affect the neutrality of Savoy, so important to Switzerland. On the 9th January,



1860, Lord John Russell wrote that her Majesty's Government entirely concurred in the propriety of providing, if circumstances should render it necessary to do so, against the neutrality of Savoy being infringed by any of the new arrangements resulting from the late war. On the same date Lord John Russell heard from Mr. Grey, of Paris, that Dr. Kern, the Swiss Minister at that Court, had had an interview with M. Baroche on the subject of Savoy, and that although M. Baroche had stated that the question had no interest either present or future, he was sure the cession of Savoy to France was determined upon by Sardinia, in return for which France was to sanction the annexation of the Duchies and Romagna to Sardinia.

On the 26th January, 1860, Lord John Russell learned from Earl Cowley that a rumour was prevalent that there existed a secret treaty between France and Sardinia, entered into before the late war, by which the latter bound herself, in case her territory should be considerably increased in Italy by the events of the war, to cede Savoy to France. Earl Cowley did not believe in the existence of this treaty, but he could not take upon himself to affirm that some sort of engagement or understanding respecting Savoy had not been entered into between the two Governments. In corroboration of this opinion he sent two articles from the *Patrie*, entitled "The Wishes of Savoy" and "The County of Nice," in which the question was openly discussed, and all the objections answered. In answer to this communication, Lord John Russell gave instructions to Earl Cowley as to the language which he should hold with regard to the annexation of Savoy and the County of Nice to France:—

"The Emperor cannot fail to have present to his mind the alarm and anxiety which prevailed in Europe during the past summer; the arming of Prussia and the German Powers; the hopes of revolution excited; the rumours of alliances, offensive and defensive, which agitated the public mind. The Emperor can well recall that period; for he stated how much of glory he was content to forego, how much of noble aspirations to disappoint, in order to give satisfaction and peace to Europe. It is to be hoped and desired that the present tendency should be to soothe the troubled waves and restore calm to the agitated atmosphere. But the question of the annexation of Savoy would be regarded not so much as composing past troubles, as raising the elements for new storms. Natural frontiers—the Alps and the Rhine—the repetition of the history of long and bloody wars—the commencement of a new struggle between France and Europe; such are the ideas which would pass through men's minds at the announcement of such an acquisition.

"Let the Emperor recall the noble words in which he gave forth at Milan a sentiment not less just than becoming the sovereign of so great an empire. In addressing the Italians, his Imperial Majesty said, 'Your enemies, who are mine, have endeavoured to diminish the universal sympathy for your cause which prevailed in Europe, by making it believed that I only made war from motives of personal ambition, or for the aggrandisement of the territory of France. If persons exist who do not understand the age in which they live, I am not of that number. In the enlightened state of public opinion, the moral influence that can be exercised contributes more to grandeur at the present time than barren conquests, and that moral influence I seek with pride by contributing to render free one of the fairest portions of Europe.'"

Lord John Russell concluded by saying, that he

chose rather to suppose that the Emperor will adhere consistently to this declaration, than that he would run the risk of arousing jealousies and fears in Europe which he would find it difficult thereafter to appease.

On the 1st February, Sir James Hudson sent to Lord John Russell a copy of the *Gazette de Savoie*, stating that a deputation waited on the Governor of Chambery with an address containing a protest against annexation, and demanding to be informed of the intentions of the Government in the matter; to which the Governor, having received instructions by telegraph from Turin, replied that "The Government had never entertained the idea of ceding Savoy to France." On the 3rd February, Sir James Hudson communicated, that he inquired of Count Cavour whether he could account for the rumours which were in circulation respecting this subject; and that his Excellency replied that he could not account for them; nor could he account for the sudden change in the opinions of many persons, Savoyards, who before the late war had urged that cession, and who now opposed it. He added, that the Sardinian Government had not the slightest intention of ceding, exchanging, or selling Savoy. If the people of Savoy had any grievances which they thought required redress; any proposition to make by which they conceived their position might be bettered; any undue pressure to complain of, they knew perfectly well that they had a constitutional remedy by petition to the Crown through Parliament; that, if any such petition were presented, it would be dealt with parliamenterarily and openly, and would receive such remedy as Parliament might approve and the Crown sanction. "At this moment," said the Count, "Savoy has one battalion of rifles to protect it; and I can assure you," he added, "that the Sardinian Government has no intention of applying military coercion to any portion of the king's subjects, in order to stifle or create a public demonstration: the question of Savoy is left to the good sense and the good feeling of the people of Savoy."

On the 6th February, Lord John Russell instructed Sir James Hudson not to disguise from Count Cavour that, in the opinion of her Majesty's Government, it would be a blot in the escutcheon of the House of Savoy if the King of Sardinia were to yield to France the cradle of his ancient and illustrious House. That, if the military position of Sardinia will be weak in face of the fortresses possessed by Austria on the Mincio and the Adige, that weakness will not be cured by placing on another frontier the great power of France in possession of the passes of the Alps, commanding an easy access to Italy, in any case of hostile discussion between the French and Sardinian Governments.

On the 8th February, Lord John Russell received from Earl Cowley the result of an interview he had had with M. Thouvenel, on the question of the annexation, stating that M. Thouvenel had expressed himself to the effect that Government could not consent to the formation of a kingdom of above 10,000,000 of souls in the South of Europe, without taking precautions for the future security of France; but that this would be done not in a spirit of conquest or aggrandisement, but simply as a measure of necessary precaution.

But while the French Government asked for guarantees for the safety of France, they had no intention of violating or infringing upon those which Europe has thought necessary to take for her own safety. The annexation, therefore, of Savoy to France would not break the engagements entered into for the neutrality of the districts of Chablais and Faucigny; indeed, in

the opinion of the French Government, it would be well that those districts should be united permanently to Switzerland.

Earl Cowley having asked M. Thouvenel whether, in any case, it was intended to annex Savoy to France by force, and without any reference either to the king of Sardinia or to the people of Savoy, M. Thouvenel disclaimed promptly and without hesitation any intention of the kind, and that it had never entered the Emperor's thoughts to constrain either the will of the King of Sardinia or that of the populations.

On the 9th February, Lord John Russell learned from Capt. Harris, that a meeting had been held at Geneva on the 3rd, when Mr. James Fazy, Vice-President of the Cantonal Council of State, asserted as a positive fact, that a treaty for the cession of Savoy was signed on the 27th January. A movement had also commenced, in the provinces of Chablais and Faucigny, in favour of a union with Switzerland.

On the 10th February, Earl Cowley communicated that he had some conversation with the Emperor on the subject of the annexation of Savoy to France. His Majesty did not deny that, under certain eventualities, and on the grounds stated in Lord Cowley's despatch of the 5th instant, he might think it right to claim a proper frontier for France; that he believed that the wish of the Savoyards was to be united to France; and that he could not understand why, in the case of the Duchies, the wishes of the populations were to be attended to, and that the same principle should not prevail with respect to Savoy. His Majesty, however, disclaimed all intention of annexing Savoy against the will of the Savoyards themselves, and without having consulted the great Powers.

On the 13th February, Lord John Russell intrusted Earl Cowley to communicate to M. Thouvenel, that although the project of the annexation of Savoy to France had been sometimes mentioned to him, yet it was in contradiction to the language of the proclamations of the Emperor of the French before and during the war in Italy, and that it was only very lately this annexation has appeared in the light of a probable arrangement.

"It was only of late, therefore, that it has been thought necessary by her Majesty's Government to state their serious objections to the project of transferring Savoy and Nice to France. Her Majesty's Government could not conceive that the security of France—a country so rich, so populous, and so military, possessing 36,000,000 of inhabitants, without counting her colonies—could be endangered by the existence, on the other side of the Alps, of a State of 11,000,000 of people, lately joined by a cement not yet dry, threatened, on the side of Lombardy, by Austria, and not very certain of its own independence.

"It was said the danger to France arose not from Sardinia alone, but from Sardinia as member of a confederation. But it was not at all evident that a confederation, of which Sardinia were a member, with only 5,000,000 of inhabitants, might not be quite as formidable to France as a confederation into which Sardinia would enter with 11,000,000 of inhabitants. The danger, if any, to France, would consist not in the small difference in the population of Sardinia, but in the strength, whatever it might be, of the other Powers who might have so combined against France. As, however, it was understood that the Emperor would consult the great Powers of Europe on this project if seriously entertained, and that it never entered his thoughts to constrain either the will of the King of Sardinia, or that of the people of Savoy and Nice, further correspondence might be reserved

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for future occasion. In the meantime, your Excellency will read this despatch to M. de Thouvenel, and also that of the 28th January, on the same subject."

On the 16th February, Lord John Russell heard from Sir James Hudson that the Swiss Envoy had a conversation with Count Cavour, when the Count told him that no engagement subsisted between Sardinia and France for the cession of Savoy to France; and that Sardinia was not disposed to sell, cede, or exchange Savoy to France. At the same time the Swiss Envoy remarked, that a certain pressure was exercised by France upon Sardinia with regard to that cession. Sir James Hudson had grounds for believing that Switzerland was anxious to annex to herself a portion of Savoy. The people of Savoy had long been divided into two separatist parties—one for France, the other for Switzerland. The valleys which open on France are for France; those which open on Switzerland, Annecy, for instance, were for Switzerland. But the Savoyards did not know their own minds on the subject.

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## AFFAIRS OF ITALY, SAVOY, AND SWITZERLAND.

### *Correspondence relating to Italy, Savoy, and Switzerland.*

ON the 14th March, 1860, Lord John Russell wrote to Sir J. Crampton, instructing him to ascertain the opinions of the Court of St. Petersburg on the projected annexation of Savoy and Nice to the French Empire.

On the 15th, Lord John Russell received from Sir James Hudson copies of two proclamations, addressed by the Governors of Chambery and Annecy to the people of those provinces, informing them that they would be called upon to declare their wishes as to their allegiance to Sardinia or to France, by a formula which would be determined by Parliament. On the 14th March, Lord John Russell learned from Earl Cowley that Dr. Kern had addressed a note to M. Thouvenel, protesting against the annexation,—the Federal Council demanding the observance of the stipulations of the treaty of 1564, confirmed by the treaty of the 16th March, 1816, between Sardinia and Switzerland. On the 20th, Count Persigny communicated to Lord John Russell a note of M. Thouvenel to M. Tillos, in answer to the protest of the Federal Council. In this note, M. Thouvenel first established the right of the king of Sardinia to cede Savoy, sovereignty implying essentially the right of alienation, and then examined whether this sovereign right was subjected, by international stipulations, to conventional restrictions. As to the convention of 1584, exclusively concluded between the Seigneurs of Berne and the Duke of Savoy, it had for its object a partition and delimitations, which have been several times modified, without complaints on the part of Switzerland; it referred to a situation and contingencies which have no analogy with the present state of possession, and it became extinct from the very force of things. There remains the treaty of Vienna. But the arrangements made by that treaty were not designed to protect the Swiss frontier, which an impassable barrier sufficiently protected, but were rather imposed as a charge upon Switzerland which she accepted as a burden.

On the 20th March, Count Persigny communicated a circular sent by M. Thouvenel to the French agents in Germany, dated the 15th March,

remarking on the importance and false-meaning attached to the word "Revendication," used by the Emperor in his speech on the question of Savoy: some persons seeing in this the intention of appealing to the ancient cession agreed to in 1796 by Sardinia; others the idea of resting the French demand on the difference between the treaties of 1814 and 1815. "Revendication" implies the demand of a right which one supposes to have, but the Emperor clearly indicated that the only title upon which this "revendication" was based, was the new fact of a considerable aggrandizement of Piedmont. On the 18th March, Sir J. Hudson sent the result of the Vote taken in Central Italy on the double issue of annexation to Sardinia and for a separate kingdom. In Emilia there were 427,512 voters. Of these, 426,006 were for annexation, 756 for a separate kingdom, and 750 null. In Tuscany there were 386,445 voters; of which 366,571 were for annexation, 14,925 for a separate kingdom, and 4,949 null. The result of this Vote was received with acclamation by the population of the capital. On the same day Sir J. Hudson sent a copy of a note which the Swiss Government had instructed their minister in Sardinia to read to Count Cavour, protesting against any vote of the people of Savoy, or any act of the Sardinian Government, which may tend to alter the existing condition of Savoy without due consideration being paid to the rights which Switzerland possesses to those parts of Savoy which are neutralised.

On the 21st, Lord John Russell sent the following dispatch to Lord A. Loftus, Lord Bloomfield, and Sir John Crampton.

"The question relating to Savoy must be considered under two different aspects: the one as involving the territorial aggrandizement of France; the other as impairing the security which Switzerland derives from the provisions of the treaties of 1815 respecting certain districts of Savoy. The Government of Austria is already aware that her Majesty's Government are strongly opposed to any alteration whatever being made in the state of possession in Savoy as established by the treaties of 1815; but they especially deprecate the transfer to France of those districts the neutrality of which was at that time considered indispensable to the independence of Switzerland. It was in order to secure this object that peculiar provisions were introduced into the treaties of 1815, by which it was stipulated that, in the event of war between any neighbouring states, the districts of Chablais and Faucigny, and the territory north of Ugine, should be exclusively occupied by the forces of the Swiss Confederation. The Government of Austria, equally with that of her Majesty, and those of Prussia and of Russia, will have received from the French Government a declaration of the grounds on which the latter claim to annex Savoy and Nice to the territory of the French Empire. Her Majesty's Government have already prepared an answer, replying to the arguments by which the proposed annexation is supported. A copy of this dispatch will be forwarded to you. But without in this dispatch entering upon the grounds put forward by the French Government, I have to inform you that her Majesty's Government are of opinion that the Powers of Europe might urge that the object sought by France, namely, the security of her frontier, would be as effectually attained by the erection into a separate and independent State, under the sovereignty of a prince of the House of Savoy, of the provinces bearing that name. Such an arrangement would probably be most agreeable to Savoy itself, while, by imposing upon the new State the obligations, as well as the privileges, of neutrality, such as those now enjoyed by Switzerland,

the security of the French frontier in that quarter would effectually be provided for. But if this could not be effected, it seems to her Majesty's Government that the only alternative would be to obtain the transfer to, and incorporation with, the Swiss Confederation of those districts of Savoy to which the guarantee of the treaties of 1815 applies. It would not, indeed, be so advantageous an arrangement, but it would still maintain the principle to which the Powers of Europe in 1815 attached so much importance—that of upholding inviolate the independence of the Swiss Confederation."

On the 22nd March Count Persigny communicated to Lord John Russell a despatch of M. Thouvenel in answer to the British Government, especially the objection of analogy to other kingdoms brought forward in the discussion as regards Savoy. M. Thouvenel said—

"Analogies, in fact, are alleged, and out of them it is attempted to sow mistrust. But do these analogies rest on facts, and does there really exist any relation between our position with regard to the Alps and our situation on the Rhine? Doubtless the treaties of 1815 constituted in the north a state of things not without resemblance to and connection with that which still now subsists on the side of the Alps. The kingdom of the Low Countries was created with a view similar to that from which springs the territorial delimitation of Sardinia. Like Sardinia, it had the guardianship of positions which give it the power of giving up the approaches to, and the entry into, our territory to foreign armies. After a period of fifteen years these arrangements were profoundly modified, with the concurrence of the Great Powers themselves. Belgium was formed, and her neutrality, recognized by Europe, thenceforth covers all the portion of our frontier which was precisely the one most exposed, and on account of which France might nourish legitimate uneasiness. In one word, whatever menace to us in the north the treaties of 1815 offered, is but a recollection consigned to the region of history by the Conference of London. We have no longer on that side any species of guarantee to claim; and our system of defence, rested on our most important places, shields us entirely from dangers analogous to those with which we should have more than ever to deal on another point, if Piedmont, in her new proportions, remained in possession of territories which give access to the very heart of the empire. On the Rhine the peril has disappeared, whilst in the Alps it has increased. Thus the situations which it is attempted to assimilate, offer no resemblance; and the so powerful considerations which oblige us to demand the annexation of Savoy have no possible application to the state of things in the east and north of France. This combination will complete that which Europe herself has adopted, by effacing the last trace of stipulations manifestly conceived in a spirit of mistrust and aggression towards us; and, far from finding in it a cause for uneasiness, Germany will have reason to see in it only a fresh condition of stability and duration to peace."

On the 24th March Lord John Russell received from Sir J. Hudson the copy of an address to the king, drawn up by the municipality of Nice, against the separation of that county from the states of his Majesty, and suggesting, in the event of circumstances requiring his Majesty's consent to its cession, that it might rather be neutralized than attached to France.

On the 27th Lord John Russell heard from Sir J. Hudson, that Baron

Ricasoli arrived at Turin on the 22nd, and presented to the king the result of the recent vote of Tuscany for annexation to Sardinia, and addressed his Majesty in the following speech:—

“SIRE,—Faithful to the old traditions of your royal house, and listening to the wishes of Italy, you have known how to attain the highest summit of domestic glory, obtaining the greatest happiness of the nation. To you the highest reward was due, and which surpasses that of the greatest conquests, *i. e.* the love of the people, who into the hands of your Majesty commit their destinies, to refound their nation, make it independent, and restore its glory. I come, Sire, to bring you the first homage of Tuscany, become part of your new kingdom. You will thus unite new sons about the common country; and Tuscany is proud to rally with all her strength round a throne truly Italian, with the brave Subalpine people, in order to escape from the old municipal life, and enter the new life of the nation. I am proud, Sire, to be able to bear witness to the generous feeling and faith of the Tuscan people. These sentiments, O Sire! will be your greatest supports, because, by this union, each individual virtue becomes common property, each man's ill is cured by all, and, by the new concert of arms and institutions, all the people, founder of your new kingdom, acquire the benefits of the new times and of your wisdom.”

To which his Majesty made the following answer:—“The homage which you bring me, in carrying out the vote of the Assembly, crowns that series of resolute acts and generous deeds which have obtained for Tuscany the love of every Italian, and the applause of all civilization. I accept your vote, now almost an universal one, and am proud to count the Tuscans among my subjects. In linking her fate with that of my kingdom, Tuscany does not renounce her glorious traditions, but continues and increases them in uniting them with those of other noble parts of Italy. The Parliament, in which the Tuscan Deputies will sit side by side with those of Piedmont, Lombardy, and the Emilia, will make, I doubt not, laws favourable to liberty, which will secure to Tuscany the benefits of her administrative autonomy, without weakening, but rather strengthening, that intimate union of strength and wishes which is the most efficacious guarantee of the prosperity and independence of the country.”

On the 28th March Lord John Russell wrote to Lord A. Loftus, that her Majesty's minister at Turin had been instructed to state to the Government of Sardinia, that her Majesty's Government considered that no treaty affecting the neutralized portions of Savoy ought to be concluded between those States without the previous consent of the guaranteeing Powers. And on the 31st Lord John Russell sent him another note, proposing two modes by which the Swiss Confederation could be replaced in a condition as good, or nearly as good, as that which Switzerland held under the treaties of 1815. They are as follows:—

1. The incorporation into Switzerland of the whole of the neutralized portions of Savoy. Upwards of 12,000 of the male inhabitants of the districts of Chablais and Faucigny have expressed by the signature of their names their desire for this incorporation. The slopes of the mountains of this district are towards the Lake of Geneva, and Geneva is the commercial capital of the small towns and villages of the neutralized territory.

2. The incorporation into Switzerland of so much of the neutralized portion of Savoy as would secure to the Confederation the borders of the Lake of Geneva, and the passes of the Alps which command the Simplon

road. A frontier line has been drawn which would comprise this territory, and a map describing it has been brought to the notice of her Majesty's Government by the President of the Swiss Confederation. It would require, of course, further examination before it could be adopted. Her Majesty's Government could not think that there would be any disinclination on the part of the Emperor of the French to adopt one of these propositions, if recommended by the four Powers, either jointly or separately, with the moral weight attached to their opinions.

On the 2nd April Lord John Russell received from Sir James Hudson a further protest against the cession by Sardinia of the neutral part of Savoy to France, which was addressed by the Swiss Minister at the Sardinian Court, and on the 30th he sent a note of the Swiss Minister, requesting the Sardinian Government to retain in their offices, in the neutral portions of Savoy, the Sardinian civil authorities, until an arrangement is come to with regard to those provinces by the great Powers and Switzerland.

On the 5th April Lord John Russell received from Sir James Hudson a copy of an address from his Sardinian Majesty to the people of Savoy and Nice, as follows:—

“To the Inhabitants of Savoy and of Nice.

“A treaty concluded on the 24th March determines that the union of Savoy and Nice to France shall take place with the concurrence of the populations and the sanction of the Parliament. However painful it may be for me to separate myself from provinces which have for so long a period formed part of the dominions of my ancestors, and to which I am bound by so many recollections, I have had to take into consideration that the territorial changes which the war in Italy led to, justified the demand which my august ally the Emperor Napoleon addressed to me with a view to effecting this union. I had, moreover, to take into account the vast services rendered by France to Italy, the sacrifices made in the interest of her independence, the ties which battles and treaties have formed between the two countries. I could not, besides, ignore the fact that the development of commerce, the rapidity and the ease of communication, increase more and more every day the importance and the number of the relations of Savoy and of Nice with France. Lastly, I could not forget that great affinity in race, in language, and in manners, render these relations continually closer and more natural.

“Nevertheless, this great change in the destiny of the provinces cannot be imposed upon you. It must be the result of your free consent. Such is my determined wish; such is also the intention of the Emperor of the French. In order that nothing may hinder the free manifestation of your wishes, I recall those among the principal functionaries in the ranks of the administration who do not belong to your country, and I replace them temporarily by several of your fellow-citizens who have earned the esteem and regard of the public.

“In circumstances of such solemnity you will show yourselves worthy of the reputation which you have acquired. If you should have to seek a new destiny, act in such wise that the French shall receive you as brethren whom they have long since learnt to appreciate and to esteem. Act so that your union to France may become an additional link between two nations whose mission is to labour in concert for the development of civilization.

“*Turin, April 1, 1860.*

(Signed) VICTOR EMANUEL.

(Signed)

C. CAVOUR.”

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On the 9th April, Lord John Russell received from Mr. Russell a copy of the following Papal Bull of Excommunication, issued on the 30th March entitled :—

“LETTERS APOSTOLIC of his Holiness PIUS IX., pronouncing the Major Excommunication against the Invaders and Usurpers of some Provinces of the Pontifical States.

“Pope Pius IX., in perpetual memory of the act.

“The Catholic Church, founded and instituted by our Lord Jesus Christ for the eternal salvation of souls, having acquired, by virtue of its Divine institution, the form of a perfect society, she should, consequently, enjoy such liberty as to render her, in the discharge of her sacred ministry, independent of all civil power. And as for her due freedom of action, she stood in need of those safeguards which befitted the character and requirements of the times, it hence followed, by a singular dispensation of Divine Providence, that, on the fall of the Roman Empire, and its subsequent dismemberment into various provinces, the Roman Pontiff, whom Christ constituted the head and centre of his entire Church, acquired a temporal sovereignty. And this, undeniably, was a most wise provision of the Almighty, to the end that amid such a number and variety of temporal princes, the Sovereign Pontiff might enjoy that political independence so highly essential to the uncontrolled exercise of his spiritual power, authority, and jurisdiction throughout the whole world. And this was evidently just, in order that the Christian world might have no ground for apprehension that this See should, at any time, be swayed in its universal administration by the pressure of civil governments, or party intrigues, this Holy See towards which, *on account of its declared pre-eminence, the universal Church should refer.*

“We can, however, easily understand how this sovereignty, though partaking of a temporal character, is, nevertheless, indued with a spiritual nature, in virtue of its sacred mission, and of that close bond wherewith it is associated with the chief interests of Christianity. This, however, is no hindrance to the due fulfilment of those requirements which conduce to the temporal happiness of the people, as the history of the civil government, for so many ages administered by the Roman Pontiffs, most evidently demonstrates.

“As, therefore, the temporal power of which we speak, tends to the well-being and advantage of the Church, it is not to be wondered at that her enemies have frequently striven, by all manner of intrigues and endeavours, to undermine and overthrow it, which execrable attempts, however, thanks to the never-failing aid wherewith God upholds his Church, have all, sooner or later, proved abortive. It is now apparent to the whole world how, in those lamentable times, the wicked maligners of the Catholic Church, *abominable in their devices, and speaking lies in hypocrisy*, impiously strive to divest this Holy See of its temporal sovereignty, trampling under foot all law, human and divine; and this they contrive to effect, not, indeed, as formerly, by open aggression and force of arms, but by false and pernicious principles astutely insinuated, and popular demonstrations maliciously encouraged. Nor are they ashamed to instigate the people to odious rebellion against their lawful princes, which is clearly and manifestly condemned by the apostle, where he says: ‘Let every man be subject to the higher powers, for there is no power but of God. The powers that be are ordained

of God. He, therefore, who resisteth the power, resisteth the ordinance of God. And they that resist receive to themselves damnation.' Not content, too, with assailing the temporal power of the Church, and contemning her venerable authority, these consummate hypocrites carry their impudence to such a length as to vaunt openly of their reverence and devotion for this Church. And what is most lamentable of all is that such wicked conduct stains the character of more than one of those personages who, as children of the Church, should exert in her defence and protection that authority which they exercise over their own subjects.

"In the fraudulent and perverse machinations of which we complain, the foremost actor is undoubtedly the Sardinian Government; and it has been for time universally known how great and manifold have been the wrongs inflicted in that kingdom against the Church, her rights, and her sacred ministers, for which proceedings we expressed our deep regret, particularly in the Consistorial Allocution delivered on the 22nd January, 1855. Having slighted our just remonstrances on this point, that Government has now carried its rashness to such an extreme as not to refrain from dealing injuries against the universal Church by assailing the temporal power wherewith the Almighty wills that the See of St. Peter should be furnished to uphold and conserve, as we have already observed, the free exercise of its apostolic ministry. This spirit first revealed itself by evident symptoms of aggression when, in the Congress of Paris held in 1856, among other hostile demonstrations made on the part of the Sardinian Government certain specious ideas were put forth, intended to weaken the temporal power of the Roman Pontiff, and to restrict his dominion and that of his Holy See. And when last year the war in Italy broke out between the Emperor of Austria and the Allied Sovereigns, the Emperor of the French and the King of Piedmont, no treachery or wicked contrivance was left unattempted to induce, at any cost, the subjects of our Pontifical jurisdiction to infamous revolt. To this end revolutionary agents were despatched, money lavishly dispensed, arms supplied, and popular excitement stirred up by wicked writings and journals; and, in fine, every manner of deceit was practised, even by those acting as diplomatic representatives of that Government in Rome, who, in utter defiance of the right of nations and every principle of rectitude, shamefully abused their privilege by darkly plotting against our Pontifical Government.

"A sedition afterwards breaking out in some of our provinces—the result of long and covert designing—a Royal dictatorship was forthwith proclaimed by certain partisans, and Commissaries were chosen without delay by the Sardinian Government, who, afterwards, under a different designation, assumed the government of those provinces.

"While these events were passing, we, mindful of our most momentous duty, did not neglect, in two of our allocutions, delivered respectively on the 20th June and the 26th September of last year, to complain in the strongest terms of the infringement of the temporal rights of this Holy See, and at the same time seriously to admonish the aggressors of the censures and penalties prescribed by canon law, which they had lamentably incurred. It was, indeed, reasonable to expect that the authors of this violation, in consequence of our reiterated warnings and remonstrances, should have desisted from this malign intent, especially as all the Catholic bishops, and the faithful of every grade, dignity, and condition, committed to their charge, uniting their complaints with ours, gave us their prompt and

unanimous aid in upholding the cause of this Apostolic See, of the universal Church, and of justice, fully convinced how necessary the temporal sovereignty is to insure the independent jurisdiction of the Sovereign Pontiff. But the Sardinian Government—it is with horror that we mention the fact—not only disregarded our admonitions, remonstrances, and ecclesiastical censures, but still persisting in its iniquity, having illegally extorted, by bribery, threats, intimidation, and every wily art, the suffrages of the people, did not hesitate to invade and occupy our before-mentioned provinces, and subject them to its power and dominion. Words are but weak to express our abhorrence of this outrage, which, in itself, implies the committal of manifold and exceeding crimes; for a grave sacrilege has been perpetrated, through which, at once, the rights of others have been usurped, contrary to all law, human and Divine, every reason of justice subverted, and the basis of all civil power and all human society completely undermined.

“On this account, while on the one hand we are convinced, not without sorrow of heart, that further remonstrances would be of no avail to those who, ‘as the deaf adder closing its ears,’ would remain insensible to all our warning and complaint, we, on the other, are perfectly conscious of what, in the face of such crying iniquity, we are called upon to do in the cause of the Church, of this Apostolic See, and of the whole Christian world, so persistingly warred against by perverse men. We must, therefore, take heed, lest by further delay we might seem wanting in the fulfilment of our most solemn duty; for matters have come to such a crisis, that, following the precedent of our predecessors, we must exercise that supreme authority, not only to loosen but to bind, wherewith we are divinely endowed, so that the guilty being punished with severity, they may serve as a salutary example to others.

“Therefore, having implored by public and private prayer the inspiration of the Holy Ghost, and received the advice of a chosen congregation of our venerable brothers the cardinals of the Holy Catholic Church, by the authority of the Almighty God, and of the Holy Apostles St. Peter and St. Paul, and our own, we declare anew, that all those who had any act or part in the impious rebellion of the aforesaid provinces of the Pontifical dominion, or in the usurpation, occupation, and invasion of the same, or in such like outrages (of which we complained in the above-mentioned allocutions of the 20th June and the 26th September of last year), and, moreover, that their agents, abettors, co-operators, advisers, adherents, or any other persons whatsoever, who may have procured, under any pretext, and in whatsoever manner, the accomplishment of the facts above mentioned, or may themselves have accomplished them—that all these have incurred the major excommunication, and the other ecclesiastical censures and penalties inflicted by the sacred canons, by the Apostolic Constitutions, and the decrees of the General Councils, especially that of Trent (Sess. XXII. cap. 11, de Reform.), and, if required, be they again excommunicated and anathematised. And we declare, moreover, that they shall be deprived of all privileges, graces, and indulgences whatsoever, conceded to them by us, and by the Roman Pontiffs our predecessors; neither can they be absolved and freed from these censures by any but ourselves, or by the Roman Pontiff reigning (except in *articulo mortis*, and even then, in the event of their recovery, they shall incur anew the said censures), and, moreover, that they are unqualified and incapable to receive the benefit of absolution, until they

shall have publicly retracted, revoked, annulled, and cancelled all such proceedings, and restored, fully and effectively, everything to its former state, and given due and condign satisfaction to the Church, to us, and to this Holy See, for everything above mentioned; and, therefore, through these letters we decree and declare, that even those worthy of particular mention, as likewise their successors in office, shall under no pretext be free and exempt from making of themselves the retractation, revocation, and annulment of the things as above mentioned, nor from rendering the due and condign satisfaction, fully and effectively, to the Church, to us, and to the said Holy See; but that they are, and always shall be, obliged thereto, in order to obtain the benefit of absolution.

“ At the moment, however, that, forced by sad necessity, we fulfil with sorrow this part of our duty, we forget not that we are the earthly vicar of Him ‘ who willeth not the death of a sinner, but rather that he should be converted and live;’ and who ‘ came into the world to seek and to save that which was lost.’ Wherefore, in all humility of heart, with fervid and incessant prayer, we implore and beseech His divine mercy, that He may deign to enlighten with His heavenly grace all those against whom we are constrained to award the ecclesiastical penalties, and that, in His omnipotent power, He may lead them back from the way of perdition to the path of salvation.

“ And we declare that these letters, and every clause therein contained, even though the above-mentioned or other persons having, or pretending to have, an interest in the things aforesaid, no matter what may be their condition, degree, rank, distinction, or dignity, or whether they be worthy of special name and mention, may not have consented to them; and although they may not have been sued, cited, and interrogated, and the motives for which we have published the said letters be not sufficiently stated, verified and justified, or, through any other cause, semblance, pretext, or motive, they can never, in whatsoever manner, be attacked on the plea of subreption, obreption, or nullity, or the absence of our fixed intent, or the absence of the consent of the parties interested, or of any other deficiency whatsoever; neither can they be impugned, infringed, retracted, questioned or made the subject of legal debate; nor can any person institute or obtain in their detriment the benefit of the *aperitio oris*, restitution *in integrum*, or that of the *jus*, *factum*, or *gratia*, or any such like whatsoever, nor, could such benefit be obtained, whether conceded and issued *motu*, *scientia*, or *potestatis plenitudine* with equals, can it in any manner avail them in judgment or otherwise; but we will that these presents endure, and remain binding, valid, and efficacious for ever, and that they obtain a full and entire effect, and be inviolably and fixedly adhered to by those whom they now concern, shall concern at any future time. And such, and not diversely, must be the decision and definition to be given of the foregoing by the Judges Ordinary, by the Delegates, Auditors of Causes in the Apostolic Palace, and Cardinals of the Holy Roman Church, as also by the Legates *a Latere*, the Nuncios of the Holy See, and all others whatsoever, invested or to be invested with whatsoever rank or power, each and all of them being deprived of the faculty of judging and interpreting otherwise; and if any person whatsoever, no matter what his authority may be, should adjudicate diversely on these matters, whether it be knowingly or unwittingly, let the decision be null and void.

“ The foregoing, being in no way impaired or impugned by any rule of

ours and our Apostolic Chancery, *de jure quæsito non tollendo*, or by other apostolic constitutions or ordinances, or by any statutes, customs, usages, or styles immemorial or otherwise, even when corroborated by oath, apostolic confirmation, or any other form of ratification, or by any other privileges, indults, or letters apostolic to the persons herein described, or to any other persons whatsoever, of whatsoever ecclesiastical or secular rank or dignity, or in whatever manner designated or capable of being designated by appropriate terms, under any form or tenour of words whatsoever, with whatever edicts and decrees to the contrary of the foregoing the same may have been conceded, set forth, or conferred, howsoever often repeated, approved, confirmed, and renewed, even when in derogation of preceding derogations, or expressed in other terms unusual or derogatory, whether effective in the higher or in the highest degree, even when consistorially or otherwise issued, and similar to the present, *motu, scientia, et potestatis plenitudine*. Which, and all which, collectively and singly, although for their sufficient abrogation a special specific expression and individual mention, word by word, and not by clauses general and equivalent, or other mode and method of expression, were thought necessary or needed, or although for this purpose some other more elaborate form or process should be ordinarily observed and maintained, nevertheless holding the terms and tenours of this present the same as if they were expressed and inserted word for word, and nothing omitted, with full observance of every prescribed form, and regarding them, in fact, by this present to be fully and effectually expressed and inserted, all that is not contrary to this present remaining in full force and virtue, we hereby and to the effect of the foregoing, for this time and purpose only, specially and expressly abrogate, and will that they all aforesaid shall be abrogated.

“And since these present letters cannot with safety be published everywhere, and especially in those places where they are most needed, as is well known, we will that they, or copies of them, be posted and published on the doors of the Lateran Church and of the Basilica of the Prince of the Apostles, and also on the doors of the Apostolic Chancery, and of the General Curia at the Monte Citorio, and in the Campo dei Fiori, as is the custom; and, being thus published and posted, they shall be binding on all and singular those whom they may concern, just as much as if they were signified to every one of those persons by name and individually.

“We also will that, to the transcripts or printed copies of this present, signed by some public notary, and bearing the seal of any authorized ecclesiastic, shall be attached the same faith in all places and in all nations, both in judgment and otherwise, as would be given to this original were it there exposed to view.

“Given at St. Peter's in Rome, *sub annulo piscatoris*, on the 26th March, in the year of our Lord Jesus Christ 1860, and in the fourteenth year of our pontificate.

“POPE PIUS IX.

“In the year of our Lord Jesus Christ 1860, Indict. III, and on the 29th of March, in the fourteenth year of the pontificate of our Father and Lord, by the grace of God Pius IX., the present letters apostolic were posted and published at the doors of the Lateran and Vatican Basilicas, at those of the Apostolic Chancery and of the Gran Curia Innocenziana, and in Campo di Fiori, by me, Luigi Serafini, Deputy Apostolic.

“FILIPPO OSSANI, *Head Deputy*.”

On the same date Lord John Russell received from Mr. Russell a copy of the following circular note, dated 24th March, addressed by the Cardinal Secretary of State to the representatives of foreign Governments in Rome, protesting in the name of the Pope against the annexation of Romagna to Sardinia:—

“The intrigues of the revolutionary party became more audacious during the late war, and they have now gathered the fruit which for a long time they aimed at, that is to say, the rebellion of the central States of the Peninsula and of the Romagna, and the aggrandizement of Piedmont by the spoils of their legitimate Sovereigns. In the midst of such painful events, the conviction of the Holy Father did not waver that considerations of high regard to religion and justice would arrest their progress. However, facts rapidly succeeding each other proved, without doubt, that every duty and every respect for the High Pontiff, the vicar of Jesus Christ, being forgotten, rights the most sacred were trodden under foot, and premeditated designs pushed to the utmost verge of hardihood, it was intended to finish the work by the spoil of a notable part of the temporal dominions of the Holy See.

“By the decree published in Bologna on the 1st instant, the populations of the Emilia were compelled to give their votes in favour of Piedmont, and every art was used, and every violence employed, and a thousand cunning artifices were resorted to, so that the votes should be in accord with the premeditated aim.

“The recognition thereupon of such a vote declared by King Victor Emanuel on the 18th instant, filled the soul of the Holy Father with grief, as he saw a manifest usurpation accomplished, detrimental to the Church, and by a Catholic Sovereign, heir to a throne already illustrious by holy monarchs.

“In consequence, his Holiness, through the obligations incumbent upon him to preserve and defend the rights of his temporal power, has given orders to the undersigned Cardinal Secretary of State to protest against the accomplished spoliation and violation of the incontestable rights of the Holy See—rights which his Holiness intends to maintain in their integrity; and not recognizing, but on the contrary, declaring as null, because usurped and illegal, everything that has been done and may hereafter be done by Piedmont in the said provinces.

“Then the movement begun by the Catholics, from the very first attempts on the temporal dominions of the Church, persuades the Holy Father will further prevent the Sovereigns from recognizing this sacrilegious and fraudulent act of usurped sovereignty.

“The undersigned, in requesting your Excellency to bring to the knowledge of your Government this protest, has also to add, that the Holy Father is confident that the co-operation of your Government will not fail him to put at last an end to a spoliation against which also the right of nations highly protests. I avail, &c.,

“(Signed) GIACCOMO CARDINAL ANTONELLI.”

On the 9th April Lord John Russell received from Sir James Hudson a copy of the following letter, addressed by the King of Sardinia to the Pope on the 20th ultimo, and of the letter which Count Cavour addressed upon that occasion to Cardinal Antonelli:—

“*Turin, March 20, 1860.*

“**MOST BLESSED FATHER,**—The events which have taken place in the Romagna make it my duty to explain to your Holiness with respectful

candour the reasons of my conduct. Ten continuous years of foreign occupation in the Romagna, while they have done great wrong and injury to the independence of Italy, have not been able to give order to society, nor rest to the people, nor authority to the Government. When the foreign occupation ceased, the Government fell without any movement towards lifting it up again or re-establishing it. The people of the Romagna, looked upon as ungovernable, when left to themselves showed, by conduct which received the applause of Europe, how the civil and military order and discipline which rule the most civilized nations might be introduced among them. But the incertitude of a precarious condition but too long continued was dangerous to Italy and to Europe. On the dissipation of the hopes of an European Congress before which the questions of Central Italy should be brought, no other solution was seen to be possible but that of again interrogating the people themselves upon their future destinies. The resolve for annexation with the constitutional Monarchy of Piedmont being re-confirmed with such solemnity by universal suffrage, it was my duty, for the peace and welfare of Italy, to accept it definitively. But for that same object of peace, I am still always disposed to render homage to the high sovereignty of the Apostolic See.

"I, a Catholic prince, feel that I cannot act against the immutable principles of that religion which it is my glory to profess with filial and unalterable obedience. But the change which has now been effected regards the political interests of the nation, the security of the States, the moral and civil order of society; it regards the independence of Italy, for which my father lost his crown, and for which I would be ready to lose my life. The difficulties now existing relate to a mode of territorial dominion which the force of events has rendered necessary. To this necessity every sovereignty has been obliged to assent, and even the Holy See has acknowledged the same, anciently and in modern times. In such modifications of sovereignty justice and civil State reasons ("raison d'Etat") direct that every care be taken to conciliate ancient rights with the new order of things, and therefore it is that; confiding in the grace and judgment of your Holiness, I pray you to facilitate this task for my Government, which will not omit, on its part, either care or diligence to arrive at the wished-for object. If your Holiness should receive with beneficence the present overture to a negotiation, my Government, ready to offer homage to the high sovereignty of the Apostolic See, would be also disposed to bear in a just proportion the diminution of the revenues, and to concur in providing for the security and independence of the Apostolic See.

"Such are my sincere intentions, and such are, I believe, the wishes of Europe. And now that I have, with words of sincerity, declared my feelings to your Holiness, I will await your determination in the hope that, through the goodwill of the two Governments, an agreement may be feasible which, being founded on the feelings of the princes and the content of the people, may settle the relations of the two States on a stable foundation. From the kindness of the Father of the Faithful I expect a gracious reception, which may afford a well-founded hope of extinguishing civil discord, of pacifying exasperated minds, and of sparing every one the serious responsibility of the evils which might arise from contrary counsels. In this confident expectation I reverently ask of your Holiness the Apostolic blessing.

"(Signed) VICTOR EMANUEL."

*"Turin, March 20, 1860.*

"**EMINENCE**,—Baron Di Roussy, Secretary of Legation of his Majesty, is bearer of a letter from the King my master to his Holiness, and I pray your Eminence to give it into the hands of his Holiness.

"In face of the events which have taken place in the Romagna, his Majesty thinks it his duty to open his mind to the Pontiff, praying him to help his Government in solving the present difficulties.

"To this end he has pointed out on what bases might be conciliated the ancient rights with the new order of things in the Romagna.

"Should these proposals be accepted by the Supreme Pontiff as the beginning of negotiations, his Majesty would be inclined to send Count Frederick Sclopis, Senator, to Rome, to help these negotiations. I flatter myself that this choice of a person known not only for his talent and learning, but also for the conciliatory spirit he has shown at all times, will convince the Holy See that the Government of the King are sincerely anxious to adopt all those modes of conciliation which the necessities of the circumstances require.

"I doubt not that your Eminence, weighing the condition of things with that wisdom which distinguishes you, will help in carrying out the wishes of my Sovereign, and in dissipating all difficulties in the way of negotiations.

"I avail, &c.

"(Signed) C. CAVOUR."

On the 9th April, Sir James Hudson sent a copy of the following reply which the Pope returned to the letter which the King of Sardinia had addressed to him on the 20th ult.:—

"**MAJESTY**,—The events which have taken place in some of the provinces of the States of the Church impose on your Majesty the obligation, as you write to me, of accounting to me for your behaviour in respect to them. I might contest certain assertions contained in your Majesty's letter, and say, for instance, that the foreign occupation in the Legations had been for some time past confined to the city of Bologna, which never was a part of the Romagna. I might answer that the pretended universal suffrage was not spontaneous, but imposed: and here I abstain from asking your Majesty's opinion on universal suffrage, as well as from declaring to you my decision. I might answer that the Papal troops were hindered from re-establishing the legitimate government in the insurgent provinces by causes known also to your Majesty. I might answer this and much more on the subject; but what still more imposes on me the obligation of not consenting to your Majesty's plans, is the spectacle of the immorality daily increasing in those provinces, and of the insults offered to religion and its ministers; so that, even were I not bound by solemn oaths to maintain the patrimony of the Church intact—oaths which forbid me to enter upon any negotiations whatever tending to diminish its extent—I should consider myself bound to reject every project, so as not to stain my conscience with a consent which would carry with it the sanction of, and indirect participation in, those disorders, and would have the effect of justifying an unjust and forcible spoliation. For the rest, I not only cannot receive cordially your Majesty's proposals, but, on the contrary, protest against the usurpation which is being accomplished to the loss of the States of the Church, and leave on the conscience of your Majesty, and all abettors of this act of spoliation, the fatal consequences which may ensue.



"I am persuaded that your Majesty, in reading over, with a mind more tranquil, less prejudiced, and better acquainted with the real facts, the letter which you addressed to me, will find much to repent of.

"I pray the Lord to grant you that grace of which, in your present difficult position, you have so great need.

"*The Vatican, April 2, 1860.*

"(Signed)      PIUS PP. IX."

On the 4th May, Lord John-Russell received from Consul Lacroix the result of the voting at Nice for annexation to France, as follows:—Electors registered, 30,712; electors who voted, 25,933. Voted for the annexation to France, 25,743; voted against the annexation, 160. Invalid votes, 30. And on the 4th May Sir James Hudson sent the result of the voting in Savoy, as follows:—Number of persons registered, 135,449; number of votes, 130,839; number who voted for the annexation, 130,533; number who voted against it, 235; void, 71.

Sir James Hudson also sent the following address of the soldiers of the brigade of Savoy, who voted almost unanimously for that annexation, to the people of Italy:—

"Italians,—Savoy, which has been to you a devoted sister, takes her last leave of you. Tears moisten her eyelids, her heart aches, from this separation, which political circumstances have rendered necessary. But a gentle consolation dries her tears: you will bear her in remembrance; you will bear in mind her sons, who have fought for your independence. You will bear them in mind when you behold on your banners our noble white cross, which has been the witness of her courageous devotion. Yes, Italians, that flag will be doubly dear to you; it is already the sign and precursor of the redemption of your nation; it shall be, we trust, the beloved tree in whose shade the people of Italy shall gather repose. Italians! display before your sons this glorious banner; bid them learn that it must ever march firmly in the path of liberty and equity. We are about to return into the great French family; but console yourselves, Italians, if you have lost a sister, you will obtain a devoted friend, ever ready to succour you in the day of danger. Persevere in your noble course; show to other nations that you are worthy of being Italians and descendants of those who enlightened the world in the Renaissance. Europe assists with her sympathy at your revivals; she bends to do homage to the goddess of the arts and sciences. Less haughty than of yore, and more equitable, she extends her arms to assist you to rise. Courage, Italians! Providence is on the side of strong nations; Providence at times exalts them, and lowers them when they are not sufficiently matured to be able to gather up their strength; but it ever raises them up again to cause them to march in the path of order and of progress. Savoy departs from you, but she is happy in the thought that you are strong and full of hope for the future. Your name will recall to her glorious reminiscences. Your noble example shall not be forgotten; above all, that of your youthful sons, martyrs for the holiest of causes, who have fought together with us, and who have rivalled us in that heroic struggle in which memorable proofs have been given by you of your patriotism. Farewell, Italians! we return to our mountains, but there we will be faithful allies to you, watchful sentinels, ever ready, if it be yet again needful, to take up arms anew to aid you in expelling your enemies and greedy and fierce invaders.

Farewell, O Italy! may liberty be thy protector always; continue to be the asylum of what is noble and great, and Providence shall ever sustain thee! Farewell! farewell!

“The Soldiers of the Brigade of Savoy.”

After much correspondence between the British and French Governments respecting the annexation, Lord John Russell wrote, on the 25th June, to Earl Cowley that her Majesty's Government accepted the proposals of France to submit the question to a conference of the Powers who signed the Treaty of Vienna, with a view of reconciling Article 92 of the Treaty of Vienna with Article 2 of the Treaty of Turin; that the place of the conference should be Paris, and that Switzerland and Sardinia should participate in its deliberations.

#### ITALIAN AFFAIRS.

##### *Further Correspondence relative to the Affairs of Italy.*

On the 9th May, Lord John Russell received from Sir James Hudson the copy of a despatch from Consul Brown, of Genoa, reporting the departure, from places near Genoa, of two Sardinian merchant steamers, with a number of persons, computed by the consul at about 1,000, bound on an expedition, it was thought, to the Island of Sicily; and on the 13th Sir James Hudson sent a proclamation addressed by Garibaldi to the Italians:—

“Italians!—The Sicilians are fighting against the enemies of Italy, and for Italy. It is the duty of every Italian to succour them with words, money, and arms; and, above all, in person. The misfortunes of Italy arise from the indifference of one province to the fate of the others. The redemption of Italy began from the moment that men of the same land ran to help their distressed brothers. Left to themselves, the brave Sicilians will have to fight, not only the mercenaries of the Bourbon, but also those of Austria and the priest of Rome. Let the inhabitants of the free provinces lift their voices in behalf of their struggling brethren, and impel their brave youth to the conflict. Let the Marches, Umbria, Sabina, Rome, the Neapolitan, rise to divide the forces of our enemies. Where the cities suffice not for the insurrection, let them send bands of their bravest into the country. The brave man finds an arm everywhere. Listen not to the voice of cowards, but arm, and let us fight for our brethren, who will fight for us to-morrow. A band of those who fought with me the country's battles marches with me to the fight. Good and generous, they will fight for their country to the last drop of their blood, nor ask for other reward than a clear conscience. ‘Italy and Victor Emanuel!’ they cried, on passing the Ticino. ‘Italy and Victor Emanuel!’ shall re-echo in the blazing caves of Mongibello. At this cry, thundering from the great rock of Italy to the Tarpeian, the rotten throne of tyranny shall crumble, and, as one man, the brave descendants of Vespro shall rise. To arms! Let us put an end, once for all, to the miseries of so many centuries. Prove to the world that it is no lie that Roman generations inhabited this land.

“(Signed) G. GARIBALDI.”

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On the 21st May, Lord John Russell received from Lord A. Loftus copies of two protests of her Royal Highness the Duchess of Parma, against the annexation of her territory by the King of Sardinia, as follows:—

“ We, Louisa Maria, of Bourbon, Regent of the States of Parma, for Duke Robert I.

“ In view of the facts recently occurring in the States of Duke Robert our beloved son, and especially looking to the pretended popular votes illegally given on the 11th and 12th instant, and to the usurpation of those States, now completed by their annexation to another adjoining state, we consider it our holy duty to pronounce again our solemn protest. We protest, first of all—Against the pretended right of transfer (*dedizione*) proclaimed in favour of the people; a fresh encouragement brought forward for withdrawing them from obedience to constituted Governments; Against the proceedings taken by the Government of the King of Sardinia in order to obtain at any cost manifestations in its favour by the inhabitants of the duchy; Against the violence used towards the people of Parma by the agents of the Piedmontese Government. We have for a long time known the real sentiments of the inhabitants of the duchy; we have had many proofs thereof in memorable circumstances during our regency, and even in times very recent; they are sentiments of attachment to the autonomy of the country, of fidelity to their legitimate Sovereign. Under the intimidation of threats, the corruption of deceit, and the oppression of terror, in consequence of oaths of allegiance to Victor Emanuel, forced upon functionaries in every department of administration, under the penalty of dismissal, through the general discouragement produced by nine months of pretended uncertainties and perilous sufferings; by those means have the manifestations of a suffrage previously counterfeited been procured from a considerable number of individuals. Being the work of the foreigner, and opposed to the permanent interests of the people, as well as to the rights of sovereignty and to the independence of the State, these manifestations can have no moral force, and we, therefore, declare them to be null and of none effect.

“ We further protest—Against the annexation of the States of our most beloved son to the dominions of the House of Savoy, which that house has now accepted and accomplished; and, therefore, we protest also against the acts of acceptance and of taking possession of the said States; and against whomsoever has concurred, by his counsels or his aid, to promote and carry out the same. This annexation is a flagrant violation of European treaties, of all the principles of the law of nations, and of the inviolability of states and crowns. This annexation could never be claimed as a legitimate consequence of war, and we desire to reply always, and above all, to the false arguments contrived by the Piedmontese Government, falsifying the meaning of the purely defensive treaties made between the Duchy of Parma and Austria, and misrepresenting facts, for the purpose of bringing the duchy to the condition of a belligerent power in the conflict which has broken out between Austria, on the one hand, and France and Piedmont, on the other, thus procuring a seeming title to make of it an object of conquest.

“ Everybody knows perfectly well that from the moment when war was declared, our irrevocable conduct, and our persevering efforts, have had no other aim than to guarantee as far as possible the independence and welfare

of our people, by maintaining an attitude of neutrality. This neutrality, as permitted by treaties, but therefore real and legitimate, was violated by the entrance of the foreign troops at Pontremoli. We protested then, and we did not quit our States until the moment when our protests were no longer able to protect the sacred rights of our son.

"Our neutrality is founded on solid arguments of law and of facts, which availed for the recognition and reservation of the right of the Duke of Parma in the treaty of Zurich. But that is, nevertheless, always superior to the conditions and vicissitudes of this treaty. Based upon the law of nations, it cannot perish.

"Now the right of Duke Robert over the States of Parma is ancient, acknowledged, reconfirmed, and complete. It was guaranteed by the European Powers in the treaties of 1815, and of June 10, 1817. It was implicitly confirmed by the King of Sardinia in the international treaties which have followed since that epoch, and particularly in the treaty of peace stipulated between Austria and Piedmont on the 6th August, 1849, to which the Duke of Parma, by Article V., was invited to give his adhesion, and he did give it. It cannot, according to the principles hitherto recognized and upheld in Europe, be set aside by a pretended right of popular suffrage; still less by the unlimited right of peoples to transfer themselves to a foreign Sovereign.

"Consequently, the offer of the States of Parma, which the Piedmontese Government has procured for the King of Sardinia by revolutionary means, the acceptance thereof, and their annexation, now completed by the decree of King Victor Emanuel of the 18th March, 1860, are acts of guilty and hateful spoliation, to the injury of our most beloved son Duke Robert I., and his successors. And we, mother, guardian, and regent, do again protest, in the interest of our dynasty, and of the people of the States of Parma, as well against all the unjust acts aforesaid as against the consequences thereof. And without awaiting the examination to which the European Powers may submit the new conditions made for Italy, also by Article XIX. of the treaty of Zurich, we appeal to the said Powers, we demand their support, and we rely with confidence upon their equity, and upon the justice of God. The present protest will be notified to all the Powers who signed the treaties of 1815 and 1817, as well as to the other friendly Courts.

"Zurich, March 28, 1860.

"(Signed)

LOUISA."

"We, Louisa Maria, of Bourbon, Regent of the States of Parma for Duke Robert I.

"At a distance from the country which we have ruled with genuine goodwill, in the name of our orphan son, we have learned with the deepest sorrow the very serious political changes that have taken place in opposition to the arrangements which we left there, and to the rights and interests of the Duke of Parma. It is our duty, then, in opposition to our wishes, to make complaints against a portion of our subjects, and against a neighbouring Government which has aimed at supplanting us, and which has determined, without just reasons, to look upon us as enemies. We had, indeed, no reason to expect such events. In the interior we had received, by the spontaneous restoration of the 3rd of May last, a satisfying pledge of the good feelings of our subjects. Externally we received continual demonstrations of cordial friendliness from all the Powers, including the belli-

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gerents, a friendliness which was in perfect unison with the policy we had constantly maintained. But the events which have occurred in the dominions of our family, first at Pontremoli, then in the capital, and afterwards in Piacenza, bring before us injuries done to the rights of our son Robert L., Duke of Parma, and we cannot, therefore, abstain from publicly and formally protesting, as by the present Act we do protest:—Against the acts of rebellion by which the municipalities of Parma, Piacenza, and Pontremoli, affecting to be the mouthpieces of the people, have pretended to absolve them from allegiance to the Duke, and have proclaimed the annexation of the country to the kingdom of Sardinia; against the proceedings of the Piedmontese Government, first towards the province of Pontremoli, and then towards the other parts of the duchies, both by encouraging and supporting the revolution, by gradually occupying them with its troops, and by accepting the surrender thereof, against all right, in spite of the stipulations of European treaties, and specially of those with Piedmont, and without provocation or just cause of war. And, at the same time, we reject every argument which might be alleged as a reason or pretext of right or of fact, to make us jointly liable with Austria in the acts of hostility which that Power has exercised against Piedmont, proceeding from the fortress of Piacenza; against all those who, in the course of these political changes, have in any manner inflicted, or may inflict, damage on the rights of our son; rights which we, by the present Act, resolve and declare that we maintain in all their integrity.

“We protest, then, and we declare that we consider all the acts done, and that may be done, in the duchies of Parma, in opposition to the rights of our most beloved son, to be null for every effect, and as *non avenues*: we protest against the consequences thereof, and we reserve to ourselves to exercise all the above-mentioned rights, at any time and in every way consonant with right.

“And these protests we make before God and man, not only in the interest of our son, but also in that of his subjects; and we understand that they are intimated to the Powers who maintain the public law of Europe. We appeal, then, to those Powers, trusting that in their high justice, in the interest of treaties, and of the inviolability of the rights of Sovereigns and States, and in their magnanimity, they will cherish and effectively maintain the cause of the young Sovereign of Parma. Given at St. Gall, in Switzerland, this 20th day of June, 1859.

“(Signed)

LOUISA.”

On the 22nd May, 1860, Lord John Russell sent the following despatch to Sir James Hudson:—

“*Foreign Office, May 22, 1860.*

“The Government of Sardinia is bound to that of the Two Sicilies by treaties of peace and amity. Similar relations, newly consigned to a solemn treaty at Zurich, subsist between Sardinia and Austria. Austria has assured her Majesty’s Government more than once, and in various forms, that she looks only to defence, and will not attack Sardinia or any other power. On the other hand, Sardinia could hardly hope to be successful against Austria, still less against Austria and Naples combined, without the aid of France. I will not disguise from Count Cavour that reports are prevalent that, in the event of any further acquisition of territory by Sardinia, either in the Italian peninsula or by the annexation of Sicily, France

would demand, and the Sardinian Government would make, the cession to France of Genoa, or of the Island of Sardinia, either of one or both. The cession of Genoa to France would be utterly destructive of the independence of Italy; the cession of the Island of Sardinia would be a serious derangement of the balance of power in the Mediterranean. But I will go further, and say that the further augmentation of the French territory could not be seen with indifference by Europe. You are, therefore, instructed to ask Count Cavour, first, to declare that Sardinia will not commit any act of aggression against Austria, or the kingdom of the Two Sicilies; secondly, to bind the Government of Sardinia not to yield any territory to France beyond that which has been given away by the treaty of Turin of the 24th of March, 1860. I can say little in this place of the Roman States. Her Majesty's Government are not informed with precision of the relations now existing between the Pope and the King of Sardinia; but, so long as the Pope's forces do not invade Emilia or Tuscany, her Majesty's Government consider that Sardinia is bound to maintain a defensive attitude."

In answer to which, on the 31st May, Sir James Hudson transmitted the following despatch from Count Cavour, dated the 30th May:—

*"Turin, May 30, 1860.*

"SIR,—I have just received the note which you did me the honour to address to me, informing me that the British Government, with a view to preserving from fresh dangers the peace and equilibrium of Europe, request the Government of the King to declare:—1. That Sardinia has no intention of committing acts of aggression against Austria, nor against the kingdom of the Two Sicilies; 2. That the Government of the King engages not to cede to France any portion of territory beyond the stipulations contained in the treaty of March 24. Permit me, sir, to reply, in the first place, to this last point, by referring to the declarations which I have just made to the Chamber of Deputies in the sitting of the 26th of May. In that speech, of which I hasten to transmit to you a copy, I declared, without any hesitation, that the Government of the King, even to deliver Venice from a foreign yoke, could not consent to cede one inch of Italian territory. I imagine that these declarations will render superfluous, in the eyes of her Majesty's Government, any diplomatic engagement to this effect.

"As regards the first point, I have no less hesitation in declaring to you that the Government of the King will carefully abstain from any act of aggression towards Austria as long as that Power shall abstain loyally on her side from any act which might violate the great principle of non-intervention. As the Government of her Britannic Majesty has several times declared that its firm wish is that this principle should be respected, the Government of the King flatter themselves that peace will not be disturbed. As regards the kingdom of the Two Sicilies, I do not hesitate to make the same declaration with the same reservations. It is my duty, nevertheless, to add frankly that it would be impossible for the Government of his Majesty to prevent, by force, any manifestations of sympathy by the Italian populations for the populations of Sicily or the kingdom of Naples.

"The irresistible impulse which has caused so many subjects of her Britannic Majesty to testify with such noble generosity the sympathy they feel in the misfortunes of Sicily, manifests itself in a far greater degree in the States of the King. Without being in any degree more desirous than the Government of her Britannic Majesty to violate in any manner the princi-

ples of the law of nations, the Government of the King is, as well as the British Government, unable to prevent these proofs of sympathy. As a free Government it could not punish acts which international feeling may disapprove, but which do not come under the sanction of any positive law; as an Italian Government, it cannot oppose itself to the current of public opinion which is openly pronounced in favour of the population.

"In the hope of having satisfied by these declarations the desire expressed by your Government, I have, &c.,

"(Signed) C. CAVOUR."

On the 7th July, 1860, Lord John Russell wrote to Sir James Hudson, that her Majesty's Minister at Naples had learnt that the French Government recommended the Sardinian Government to enter into an alliance with Naples, and to stop the expeditions continually going from the Sardinian dominions to Sicily, and that Russia proposed to France a joint interference to put an end to them. Lord John Russell also expressed the opinion of her Majesty's Government, that the Neapolitan Government might ask for a truce of three months in Sicily. That the Sardinian Government should effectually prevent or interrupt any expedition to Calabria or to other parts of the Neapolitan dominions; and that the troops under General Garibaldi should be confined to Palermo and Cattania, while the Neapolitan troops should be confined to Messina and Syracuse.

On the 23rd July, Lord John Russell sent the following despatch to Earl Cowley:—

"*Foreign Office, July 23, 1860.*

"Her Majesty's Government have received from various sources statements to the effect that France has agreed to the annexation of Naples and Sicily to Piedmont, on condition that Liguria and the Island of Sardinia are transferred to France. The Government of the Emperor must be aware that such a project would be viewed in the most serious light by Great Britain, and her Majesty's Government cannot think that it has been entertained. But the moment is critical, and her Majesty's Government wish to enter into the fullest communication with that of the Emperor of the French on the state of Italy. Her Majesty's Government have endeavoured in vain to induce the Cabinet of Turin to recommend a truce to Garibaldi: they affirm that they have no influence with that chief. We must, therefore, calmly review the recent occurrences.

"Garibaldi and his companions have gone from Genoa to Sicily; have raised the Sicilian people in insurrection against Naples; have led and triumphed in an outbreak of the inhabitants of Palermo; and finally, the insurgents are in possession, with the exception of Messina, Syracuse, and Agosta, of the whole island. Other expeditions following that of Garibaldi have gone from the ports of the King of Sardinia, and have fomented the Sicilian insurrection. Whether Garibaldi's original expedition and those which followed were disapproved or secretly connived at by the Court of Sardinia, their success appears to us to place the Sardinian Government in a position of embarrassment. The duties of amity ought to lead them to discountenance all enterprises destined to shake the throne of an ally. But if, after what has happened, Sardinia were to form an intimate alliance with the King of Naples, and the Neapolitan troops should in consequence march against the Sicilians, and place Palermo under its former rule, all Italy

would exclaim against the supposed treachery of the King whom they have hitherto looked upon as the champion of Italian independence. While on the one hand, therefore, her Majesty's Government have no wish to see the crown of the Two Sicilies on the head of the King of Sardinia, it appears to them that Sardinia cannot ally herself intimately with Naples, unless Sicily should be left free to choose her future destiny. But in choosing that destiny, it is the opinion of her Majesty's Government that if the Sicilians could have a free Parliament, and above all a voice in the appointment of a viceroy under the Neapolitan dynasty, they need not fear a repetition of the injustice and the oppressions which they have been made to suffer.

"Such are the views of her Majesty's Government in respect to Sicily; and if by a truce of indefinite duration, time could be obtained for friendly negotiations between Naples, Sicily, and Sardinia; if Sicily could have security for good government, and peace could be preserved in Southern Italy, her Majesty's Government would gladly contribute to such a result. In the case, however, of failure, and the refusal by Sicily to acknowledge any longer the Bourbon dynasty, the Sicilian revolution, if not crushed by the Neapolitan forces, may involve the throne of Naples, and even extend to the Roman States, so that the dream of an Italian kingdom, comprehending all Italy from Milan to Messina, may become a reality. An attack by the new Italian kingdom on Venetia might follow. But such an attack would be a war of aggression undertaken in direct violation of the Treaty of Zurich. It would excite the apprehension, and probably the armed resistance of the German Powers. It is the firm persuasion of her Majesty's Government that no such war would be undertaken by Sardinia if the hope of assistance from France were entirely precluded. The battle of Solferino alone was sufficient to show how unequal the best Piedmontese army would prove to the task of driving the Austrians out of Italy. The increase of numbers has, by mixing up raw levies with disciplined troops, for the present rather impaired than increased the efficiency of the Sardinian forces. We may be certain that Count Cavour is too sagacious a statesman to send such an army to break itself to pieces against the fortresses of the Quadrilateral; and we may rest assured, therefore, that if France and England discourage, strongly and decidedly, any attack by Sardinia upon Austria, no such attack will be made. It is in this manner only, according to the views of her Majesty's Government, that Italy can be reconstituted, and Europe saved from the calamity of war. If the King of Sardinia is encouraged to attack Venetia, the Emperor of Austria will probably succeed in engaging Germany in the quarrel, and the Emperor Napoleon will be placed in the alternative of seeing his work undone, or of engaging in a European war. It seems, therefore, to her Majesty's Government that, while we should endeavour to conciliate the pretensions of Sardinia and Naples in respect to Sicily, yet if such efforts should fail, France and Great Britain should agree to leave the people of Southern Italy to settle their own internal affairs. But inasmuch as a war of Sardinia against Austria would probably extend to Germany, and perhaps to other countries in Europe, Great Britain and France should use all their influence at Turin to prevent any aggression on Venetia on the part of the King of Sardinia."

Meanwhile Garibaldi was progressing in his marches; and on the 22nd July, Mr. Elliot informed Lord John Russell that the Neapolitan Government had come to the resolution of entirely abandoning Sicily, M. De Martino intending by this act to come to an understanding with Sardinia, and so



prevent the further progress of the revolution. On the 27th July, Sir J. Hudson wrote that the Sardinian Cabinet had counselled the King to address General Garibaldi, calling upon him to refrain from attacking the continental States of the King of Naples; but that since the departure of the King's letter the battle of Melazzo had occurred. On the 10th August, Sir James Hudson communicated that the reply which General Garibaldi had returned to the suggestion made to him by the King of Sardinia, that he should not cross from Sicily to the States of the King of Naples, was to the effect, that on account of the engagements which he had entered into with the people of those States, he could not stop in his career, but that as soon as "his mission" was completed, he would lay his authority at his Majesty's feet. On the 16th August, 1860, Mr. Fane communicated from Vienna, that it was reported that a menacing note on the affairs of Italy had been addressed by Count Rechberg to the Cabinet of Turin, but that the Austrian Government had given to that report an unqualified denial. On the 21st August, Lord John Russell sent the following despatch to Mr. Fane:—

"The project of Italian unity has found great favour among high and low in Italy. The reason why Italy has long been merely a geographical term, is supposed to be found in its division into separate States; the wish for independence which has long prevailed, is, therefore, now connected with a wish for unity. Her Majesty's Government are alive to the dangers which endeavours to accomplish that unity may produce, by disturbing political relations between other States, exciting national ambition among the Italians, and leading to events which might injuriously alter the existing balance of power in Europe. Her Majesty's Government have, on these grounds, urged the King of Sardinia to use his influence with General Garibaldi to induce that chief to refrain from invading the kingdom of Naples; but they are convinced that if the King of Naples possesses the attachment of his people, he will run no risk from Garibaldi's incursion, even supported by the cry for unity.

"If, on the other hand, the affections and confidence of his Neapolitan subjects are alienated from him, and if the Neapolitan nation desire to form part of a United Kingdom of Italy, Her Majesty's Government would not feel justified in attempting to impose upon them a Government in which they can have no confidence, and under which they can enjoy no security. But even if all Italy, comprising more than twenty millions of inhabitants, were formed into one kingdom, Her Majesty's Government would see in that change no reason for any further aggrandizement of France. In any future European war, Italy thus enlarged would be free to join France, or to unite with the adversaries of France, or to remain neutral; but her joining in any coalition against France would not be probable unless her independence were threatened by French ambition.

"Her Majesty's Government, therefore, would oppose any further annexation of Italian territory to France on the pretence of danger to France by the incorporation of Italy into one State. It is impossible, however, not to fear that Italy, formed into one kingdom, comprising Naples, Sicily, and the States of the Pope, in addition to the present dominions of the King of Sardinia, might threaten the position of Austria in Venetia, and any menace of this kind might be supported by discontent, and even by insurrection, in Venice, and in the Italian towns in the Province of Venetia. Her Majesty's Government would discourage, as much as possible, any such aggressive

tendency, and would use all their influence at Paris to dissuade the Emperor of the French from assisting Sardinia in an aggressive war against Austria. More than this her Majesty's Government cannot engage to do. They are persuaded that Austria is more than a match for Italy single-handed, and they do not believe that, unless other complications arise, the Emperor of the French will incur the cost of blood and treasure which would be the certain result of his participation in a fresh war in Italy. Nor can they think it probable that the King of Sardinia would lightly engage single-handed in an enterprise, the end of which would be doubtful, and the dangers of which would be certain."

On the 25th August, Lord John Russell received from Mr. Elliot a communication, that during the week Naples had been a prey to a panic which pervaded all classes, and which gave rise to a kind of exodus from the city, the wealthier leaving the country by the steam-packets, and the poorer moving with such of their goods as they could transport to various places more or less distant from the capital. Considerable fear was felt that the Republican element which surrounded Garibaldi, might prove too strong even for him, and such consideration prevented the arrival of the Liberator to be looked forward to with the same universal exultation with which it was anticipated a short time back. On the 27th, Lord John Russell received another communication from Mr. Elliot, that by a royal decree of the 20th, the convocation of the Electoral Colleges was postponed until the 30th Sept., and the meeting of the national Parliament to the 20th Oct.

On the 29th, Lord John Russell wrote to Earl Cowley as follows:—"It appears to her Majesty's Government that the Italians should be allowed to maintain or to change the Governments of Naples and Sicily, and of Rome, according to their wishes; but that France should discourage an attack upon Venetia by Sardinia: for France is bound to maintain Sardinia in the possession of Lombardy, and therefore the contest could not be an equal one. And it must also be borne in mind that if Sardinia, being worsted in the war, France were to come to her assistance, it is possible that the German Powers might move to the assistance of Austria, and that thus the war might assume European dimensions. Austria, on the other hand, cannot be again permitted to occupy and govern Naples and the Roman States without a renewal of the miseries of the last forty years for Italy, and a prospect of disturbance of the peace of Europe."

On the 31st August, Lord John Russell received from Mr. Elliot copy of a note from M. de Marteno, containing the protest of the Neapolitan Government in favour of the rights of King Francis II. as Sovereign of Sicily, and against the imposition by a foreign force of the Sardinian "Statuto," without regard to the wishes of the Sicilians. And on the 3rd September, Lord John Russell learned from Mr. Elliot, that in order to spare the town of Naples the horrors of war, the King had ordered his generals to confine the action of his troops to without the walls of the capital, of which the garrison was to be reduced to that usual in time of peace. On the 11th September Lord John Russell received from Mr. Elliot a despatch, to the effect that the belief that very serious complications would likely arise if Garibaldi succeeded in his enterprise and established his authority throughout the Neapolitan dominions, led him, although not without misgiving, to the conclusion that if the King is forced to leave his throne, it would be most conducive to the probable peace of Italy and of

Europe, that the authority in Naples should without delay be assumed by the King of Sardinia.

On the 13th, Lord John Russell heard that the King had left Naples for Gaeta, accompanied by the Queen, in one of the smallest of the vessels belonging to his navy, escorted by a Spanish frigate and corvette, on board of which was the Marques de Lema, the Spanish Minister. The whole of the royal family had likewise departed. The royal army was being withdrawn towards Capua and Gaeta, but whether with the intention of making an attempt at a final stand at the northern extremity of the kingdom, or with the view of joining General Lamoricière's army in the Papal States, to help him to resist the further progress of Garibaldi, could not yet be said. The following is the King's farewell address to his people:—

“PROCLAMATION.

“Among the many duties which are prescribed to kings, those attendant on misfortune are the greatest and the noblest, and I intend to fulfil them with fearless resignation, with a serene and confiding heart, as becomes the descendant of so many monarchs. To this intent I once more address myself to the people of this metropolis, from whom I must now in sorrow separate myself. An unjust and illegal war has invaded my States, notwithstanding my being on peaceful terms with all the European Powers. The changes made in the form of government, my adhesion to the great National and Italian principles, have not sufficed to avert it; nay, the necessity under which I was of defending the integrity of the State entailed events which I have always deplored. Thence I solemnly protest against these disgraceful hostilities, on which present times and future ages will pronounce their most severe judgement.

“The diplomatic body accredited to my person have, ever since the commencement of this unheard-of invasion, known the sentiments with which my mind was imbued towards all my people, and towards this illustrious city, namely, to guard it against rapine and war, to save its inhabitants and their property, the sacred temples, monuments, public edifices and galleries of art,—all those things which compose the patrimony of its civilization, and which, belonging to future generations, are superior to temporary passions.

“The moment for the accomplishment of this promise has arrived; the war is approaching the walls of this city, and with ineffable grief I now depart, accompanied by a portion of the army, there, where the defence of my rights calls me. The other portion of it remains in order to contribute, in concert with the honourable National Guard, to the inviolability and security of the capital, which I recommend as a sacred palladium to the zeal of the Ministry; and I rely on the honour and good citizenship of the Syndic of Naples, and of the Commander of the Civic Guard, to save this beloved country from the horrors of internal disorders and the disasters of approaching warfare, to which intent I leave them all the necessary and most extended powers.

“Descendant of a dynasty which for 126 years has reigned over these parts, and having thus saved them from the horrors of a long vice-royal government, all my affections are here concentrated. I am Neapolitan, nor can I without the deepest sorrow thus take leave of my most beloved people,—of my countrymen. Let my fate be what it may, prosperous or adverse, I shall always retain a great and affectionate remembrance of them. I

recommend to them concord, peace, and the sanctity of their duty as citizens. Let not an unbecoming zeal for my crown become a torch of turmoil. If the fate of the present war should cause me shortly to return among you, or if at any future time it should behove God's justice to restore to me the throne of my ancestors, resplendent with the free institutions with which I have irrevocably surrounded it, all that I now demand is that I may find my people united, strong, and happy.

*"Naples, September 6, 1860.*

*"(Signed) FRANCIS."*

On the 13th September, Lord John Russell received the further communication from Mr. Elliot, dated 7th September :—

"Extraordinary as has been the progress of General Garibaldi from the moment of his first landing at Marsala, no part of it had been more so than the entrance which he made into Naples that morning. Scarcely more than twelve hours had elapsed since the King had left his capital, and the last columns of a numerous garrison could barely have withdrawn beyond the sight of the town, when General Garibaldi arrived by railroad, accompanied by some fifteen or twenty persons in all, the advanced guard of his army certainly not being within sixty miles. At Salerno he had made a similar entrance and at an equal distance from his troops, and in both cases was received with the utmost enthusiasm. At Naples the town seemed to give itself up to rejoicing, and to the exhibitions, so much to the taste of these southern populations, of processions with flags, and pikes, and daggers, but no disturbance occurred during the day, that I heard of, except in one case where the soldiers still remaining in one of the forts, provoked by constant invitations from the people to join in the cry of 'Viva Garibaldi!' fired some shots upon them. General Garibaldi took up his quarters in a palace in which royal visitors were usually received, and just opposite that of the King."

The following is a copy an address of the King, transmitted to all the Courts of Europe, upon the events which have compelled his Majesty to abandon his capital:—

"Francis II., King of the Kingdom of the Two Sicilies, &c., &c., &c.

"Since a daring 'condottiero,' with all the force which revolutionary Europe possesses, has attacked our dominions in the name of one of Italy's Sovereigns, a kinsman and an ally, we have by all the means in our power fought during five months for the sacred independence of our States. The fortune of war has been against us. The daring enterprise, which that Sovereign in the most formal manner protested he ignored, and which nevertheless, pending the treaties for an intimate alliance, received in his States principally help and support; that enterprise which the whole of Europe, after having proclaimed the principle of non-intervention, looks at with indifference, leaving us alone to struggle against the common enemy, is on the point of extending its unhappy effects even to our capital. The hostile forces are approaching us nearly.

"On the other hand, Sicily and the provinces of the continent, long since and in all ways undermined by revolution, having risen under so much pressure, have formed Provisional Governments with the title and under the nominal protection of that Sovereign, and have confided to a pretended Dictator the authority and the full arbitrement of their destinies.

"Powerful in our rights founded on history, on international treaties, and

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on the public law of Europe, while we depend on prolonging, as long as possible, our defence, we are not less determined to make every sacrifice to spare the horrors of a struggle and of anarchy to this vast metropolis, the glorious seat of antiquity, the cradle of the arts and the civilization of the kingdom.

"In consequence, we will move with our army outside our walls, confiding in the loyalty and in the affection of our subjects for the maintenance of order and the respect to the authorities.

"In taking such a resolution, we feel, at the same time, the duty which is dictated to us by our ancient and unshaken rights, our honour, the interests of our heirs and successors, and, still more, of our beloved subjects, and we strongly protest against all the acts hitherto consummated, and the events which have taken place, or will happen hereafter.

"We reserve all our titles and prerogatives, springing from the sacred and incontestable rights of succession, and from treaties, and we solemnly declare all the above-mentioned acts and occurrences null, void, and of no value, resigning, as far as concerns us, into the hands of an omnipotent God our cause and that of our people, in the pure conviction of not having entertained, in the brief space of our reign, a single thought which was not consecrated to their good and to their felicity. The institutions which we have irrevocably guaranteed to them are the pledge of this.

"This our protest will be by us transmitted to all the Courts, and we wish that, signed by us, furnished with the seal of our royal arms, and countersigned by our Minister for Foreign Affairs, it may be preserved in our Royal Office for Foreign Affairs, by the President of the Council of Ministers, and of Grace and Justice, as a monument of our firm wish to oppose always reason and right to violence and usurpation.

"*Naples, September 6, 1860.*

(Signed) FRANCIS."

"(Signed) G. DE MARTINO."

On the same date, Lord John Russell received from Mr. Elliot the following account of the state of parties in Naples.—"The political parties now prevailing in Naples are the following: 1st The Constitutionalists, who would wish the Constitution to be carried out under the present Sovereign. 2ndly. The Reactionists. 3rdly. The Republicans. 4thly. The Annexionists. The first of these may be rapidly disposed of; for, although represented by the Government, its numbers are insignificant, and apparently it will shortly cease to exist. The second, or Reactionist party, although not numerically strong as compared with the population, contains at court, in the army, and among the clergy, elements sufficient to render it extremely formidable. Of the third, or Republican party, it is not easy to speak with certainty as regards its numbers; but it is ably directed from abroad, and led by active, enterprising men, disciplined and working together with an union and determinedness of purpose that cannot fail to make them dangerous. Their guiding principle may, perhaps, be correctly gathered from the symbol or seal they adopted for their 'National Committee,' namely, three fraternal hands grasping a dagger. The fourth, or Annexionist party, comprises the great bulk both of the intelligence of the country and of its total population; but this advantage is partly counterbalanced by the disunion and diversity of purpose which prevails amongst them. They appear to be agreed only to the extent of a determination to do nothing for themselves, but to allow Garibaldi and his followers to conquer the Kingdom of Naples, as he has done that of Sicily, granting him their

good wishes, but making no national movement till the Liberator is so near at hand that it may be done without risk to themselves. One portion of them flatter themselves with the belief that when the King abandons the capital, they may seize the reins of power, establish a Provisional Government, and, at the very gates of Naples, inform General Garibaldi that they can govern the country for themselves, and have no further necessity for his services. Another section would wish to establish the Count of Syracuse as Dictator upon the departure of his royal nephew. The third, and apparently most practical, portion think that when Garibaldi arrives, he must at least commence by being himself Dictator, and that their object should be to render him every assistance in his government, instead of endeavouring to set him aside. These rival parties regard each other with considerable animosity."

On the 14th, Lord John Russell received from Sir James Hudson copy of a general order, published in the supplement of the Official Gazette, to the Sardinian troops about to enter Umbria and the Marches, as follows:—

"This morning his Majesty received the deputation which came from Umbria and the Marches to invoke his protection for their provinces, exposed to the fury of mercenaries of every nation. Deeply touched by the state of those populations and their dangers, his Majesty has accepted the protection, and has commanded his troops to enter those provinces for the purpose of preserving order, and of preventing the recurrence of the struggles of Perugia,—addressing to the troops the following proclamation:—

"VICTOR EMANUEL II.

"Soldiers!

"You are entering the Marches and Umbria to restore civil order to those distressed cities, and to give the people freedom to express their own will. You have not to fight with powerful armies, but to free unhappy Italian provinces from foreign mercenaries. You go not to revenge injuries done to me and to Italy, but to prevent popular hatred from breaking out in revenge for bad government. You will teach, by your example, forgiveness of injuries and Christian toleration to him who has foolishly compared love for the Italian country to Mahometanism. In peace with all the great Powers, and abstaining from all provocation, I intend to remove from the centre of Italy a lasting source of disturbance and discord. I will respect the See of the Chief of the Church, to whom I am always ready to give, in concert with the allied and friendly Powers, all those guarantees of independence and security which his blind councillors have vainly flattered themselves to obtain from the fanaticism of a mischievous faction conspiring against my authority and the liberty of the nation.

"Soldiers! "I am accused of ambition. Yes, I have one ambition; and that is, to restore the principles of moral order in Italy, and preserve Europe from the continual dangers of revolution and war.

"September 11, 1860.

"(Signed)

VICTOR EMANUEL.

"(Signed) CAVOUR.  
"FARINI."

On the 20th September, Lord John Russell received from Sir James Hudson copy of a note addressed by Count Cavour to Cardinal Antonelli,

and of the Cardinal's reply to it, upon the subject of the insurrection in the Marches and Umbria, and the motives which have induced Sardinia to enter the Papal territories, as follows:—

“COUNT CAVOUR TO CARDINAL ANTONELLI

“EMINENCE,

*Turin, September 7, 1860.*

“The Government of his Majesty the King of Sardinia has not witnessed without deep regret the formation and existence of the corps of foreign mercenary troops in the service of the Pontifical Government. The creation of such corps, not consisting, according to all civil governments, of natives of the country, but of people of different tongues, nations, and religion, is highly offensive to the public conscience of Italy and Europe. Insubordination, inherent to such troops—the improvident conduct of their chiefs—the provoking menaces which they put forward in their proclamations, give rise to, and maintain, a very dangerous ferment. The remembrance of the frightful excesses of the sacking of Perugia is still fresh with the inhabitants of the Marches and Umbria. Such a state of things, fatal in itself, is even more so from the events which have succeeded in Sicily and the kingdom of Naples. The presence of foreign troops, offensive to national feeling, and opposed to the manifestation of the popular vote, will infallibly extend disturbances to the adjoining provinces.

“The intimate relations between the inhabitants of the Marches and Umbria and the provinces annexed to the States of the King, and the reasons of order and security of his own dominions, compel his Majesty's Government to apply an immediate remedy to these evils. The conscience of King Victor Emanuel will not allow him to remain an idle spectator of the sanguinary repression with which the arms of foreign mercenaries would affect to stifle in the blood of Italians every manifestation of national feeling. To no Government is it conceded to abandon to the mercy of adventurers the property, the honour, the life of the inhabitants of a civilised country.

“For these motives, after having applied for his Majesty my august Sovereign's orders, I have the honour to notify to your Eminence that the troops of the King are directed, in the rights of humanity, to prevent the mercenary Pontifical troops from repressing, with violence, the manifestation of the sentiments of the populations of the Marches and of Umbria. I have, further, the honour to invite your Eminence, for the above-stated motives, to give immediate orders for the disarmament and dismissal of those troops, whose existence is a continual menace to the tranquillity of Italy. Trusting that your Eminence will forthwith communicate the decision taken by the Government of his Holiness hereupon, I have, &c.

“(Signed) C. CAVOUR.”

“CARDINAL ANTONELLI TO COUNT CAVOUR

“EXCELLENCY,

*Rome, September 11, 1860.*

“Without taking into consideration the channel through which your Excellency thought fit to transmit to me your despatch of the 7th instant, I have endeavoured as calmly as possible to direct my attention to what your Excellency has stated to me in the name of your Sovereign, and I cannot conceal from you that in so doing I did no little violence to my feelings. The new principles of international law put forward in your statement might, in fact, render any reply on my part unnecessary, being,

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as they are, in too flagrant opposition to those which have always been universally recognized by governments and nations. Nevertheless, stung to the quick by the charges brought against the Government of his Holiness, I cannot refrain from observing, in the first place, that the accusation brought against the troops recently formed by the Papal Government is as groundless and unjust as it is injurious; and secondly, that no terms can qualify the insult of denying that Government a right shared by all other Governments, this being the first instance in which a Government has been forbidden to have foreign troops in its service—a practice existing, indeed, at this present moment in many European States. And while on this subject, it seems the moment to mention that, considering the character of the Chief Pontiff as common Father of all the Faithful, still less could he be prevented from enrolling among his soldiers the numbers who, from different parts of the Catholic world, came forward in the defence of the Holy See and the States of the Church.

“Nothing, in the next place, could be more false and insulting than to attribute to the Papal troops the disorders which unfortunately have taken place in the States of the Church, nor is it necessary at this moment to proceed to the proof; for history has already recorded the character and origin of the troops who by force have overawed the freewill of the populations, and the nature of the artifices put into play to throw into confusion the greater part of Italy, and to ruin everything most inviolable and sacred by right and justice. And with respect to the consequences which it is wished to charge upon the lawful action of the Papal troops in repressing the rebellion of Perugia, it would have been, in truth, better logic to attribute them to the foreign instigators of the revolt; and you, Count, know too well from what quarter came the impulse, from what quarter money, arms, and means of every kind were supplied, and whence came the instructions and orders to rise.

“Everything, therefore, leads to the conclusion that the imputations cast on the soldiers of the Holy Church by a party hostile to its Government have no character but that of calumnies, and that no less calumnious are the insinuations against their leaders, which would make them believed the authors of provocative threats, and proclamations tending to excite a dangerous fermentation.

“Your Excellency then winds up your unpleasant communication by inviting me, in the name of your Sovereign, to order the immediate disarmament or disbandment of the said soldiery; and this invitation was not unaccompanied by a sort of threat that otherwise their action would be impeded by the Royal troops of Piedmont. In this a certain intimation is conveyed, which I abstain here from designating. The Holy See could not but repel it with indignation, knowing itself strong in its lawful rights, and appealing to the law of nations, under whose ægis Europe has hitherto lived, whatever may be the outrages to which it might find itself, without any provocation on its part, exposed, and against which I am now bound solemnly to protest in the name of his Holiness.

“With the highest consideration, &c.,

“(Signed)

G. CARD. ANTONELLI.”

On the 13th September, Lord John Russell received from Mr. Russell copy of an apostolic letter, conveying the Pope's blessing and “full indulgences” to the officers and soldiers of his army, and of a proclamation of



the state of siege and application of military law in the towns and provinces, threatening death and imprisonment to his rebellious subjects as follows:—

“POPE PIUS IX. to our Venerable brother VINCENZO, archbishop of Nisibi, chaplain-general to the Pontifical troops.

“Venerable brother, health and apostolic benediction !

“We are profoundly afflicted when we contemplate times so disastrous for christendom, and the terrible injuries which have been and are daily inflicted upon us and upon the Holy See by the furious enemies of that See, and of civil society itself. It is no light consolation and comfort in this our extreme need to see with what alacrity and eagerness many men and youths, illustrious for their noble birth, flock to our State every day from all regions of the Christian world to enrol themselves in our army, under the leadership of its most distinguished and invincible Commander-in-Chief, that they may defend, with all their courage and strength, this our cause, which is indeed the cause of the Apostolic See and of the Catholic Church. We, of a truth, never cease to offer in the humility of our heart the most fervent prayers to God that it may please Him to grant to all the wished-for peace. But impious men, those instruments of the Most High to punish the sins of all, and whom afterwards He will in the day of His wrath destroy and punish, now trample on the law of God, blaspheming the word of the Holy of Israel, nor cease to wage most cruel war against the Church and this Apostolic See.

“It is, indeed, these men who, possessed with the spirit of Satan, having excited the people of Italy to rebellion; having with the greatest injustice driven out the legitimate princes; having thrown every institution, human and divine, into a state of confusion and trouble; having already in the course of the last year made a violent entry into our States, and with sacrilegious hand occupied some provinces; would now endeavour to agitate, invade, and usurp the other districts of our dominions. And they would accomplish this with the perverse intention of laying their hands upon and overthrowing the civil supremacy vested in us and in the Holy See, that they may thus be enabled to destroy, could such a thing ever be possible, the Catholic Church and its supreme Pontificate—an intention which they openly and unblushingly proclaim through so many impious writings and abominable deeds. Therefore, surrounded as we are by the unbridled perversity of such impious men, and in such a lamentable condition and dire necessity, although we cannot doubt of the triumph of the Church, yet it is with incredible grief of mind that we know that our army, with leaders and soldiers so nobly animated, has to encounter the most serious dangers, and to combat such audacious enemies—most skilful contrivers of wickedness and deceit. For which reason we have thought that our army, making war so valiantly for the cause of the Church and this Apostolic See, ought without delay to be strengthened and fortified by spiritual aid also.

“Wherefore, O venerable brother, we write thee this letter, with which to thee and to all and several the priests and chaplains of this our army, we grant, by our apostolic authority, power to give, in the very act of sacramental confession, plenary indulgence *in articulo mortis*, to all and several the leaders and soldiers of this our army. Further, by the same our authority, we grant that the same generals and soldiers may, in all cases in which the aid of the sacred minister cannot be procured at the moment of

death, obtain the same plenary indulgence, invoking by words if possible, or otherwise at least with the heart, those most potent and grateful names of Jesus and Mary. We are convinced that the cause of the Church and of justice will gain, as always, a glorious victory over its enemies: inasmuch as a just and merciful God will either deign to bring back so many thousands of lost souls to the path of salvation, as we have continually demanded and still demand of Him with fervent prayers, or He will strike, crush, and exterminate these new Sennacheribs in the indignation of His wrath.

“And this our persuasion and faith finds its firm support, first in the common prayers of the entire Church which with a sweet fragrance ascend every day as incense to the throne of grace; next in the proved religion, virtue, wisdom, and counsel of so many eminent followers of Jesus Christ, most zealous sons of the Catholic Church and of this Apostolic See, who make it their glory to defend with all zeal and in every mode the rights of the same Church and See; and moreover, we trust in the marvellous piety of these our sons, who do not fail to relieve with their own wealth the sore need of us and the Holy See. We entertain no doubt that the most fervent prayers of these same faithful, and their zeal so eminent and praiseworthy, will continue, nor will the pious aids and generous contributions ever fail till it shall please the most merciful Father to bid the winds and sea to be still, and the raging tempest to cease, and to grant the much-wished-for peace and tranquillity to his Church. And may the God of armies, in whose hand rests the absolute disposition of victory, and who imbued David with miraculous strength to vanquish the rebellious Goliath, and made Judas Maccabæus triumph over the fury of the heathen, grant in His heavenly goodness to the supreme leader of our army, and to the other generals and soldiers, grace and valour to fight in the defence of the Holy Church of God and of this Apostolic See, and to put to shame the enemies of the Cross of Christ and of the Catholic faith and religion.

“Behold, my venerable brother, what things we have thought fit to notify to thee, and, both as an omen of all the heavenly gifts, and as a pledge of our especial benevolence, we lovingly bestow, with all our heart, our apostolic blessing on thee, O venerable brother, on the supreme leader of our army, and on all and singular the officers and soldiers.

“Given at Rome, at St. Peter's, the 10th day of September, 1860, the fifteenth year of our Pontificate.

“(Signed) Pius PP. IX.”

“We, General Commander-in-Chief of the Pontifical army, Grand Cross of the Pian Order, and of the Legion of Honour, Commander of the Order of Leopold of Belgium, in virtue of the powers which have been conferred on us by the ministerial letter of May 22, 1860, No. 38, at the date of the invasion of the territory of the States of the Church, in a state of peace, for the more effectual guarantee in future of the safety of persons and property, have established and ordain as follows:—

“1. The city and the province of \_\_\_\_\_ are placed in a state of siege.

“2. The functions of government and police are transferred to the military authority.

“3. A special extraordinary council of war will be established, the members of which will be named by \_\_\_\_\_ The

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will fill the functions of judge at this council, and will be invested with all the rights and prerogatives allowed in similar cases to sectional judges.

"4. The special extraordinary council of war will take cognizance of the crimes of high treason; breach of the public peace; concealment and sale of arms and munitions of war; of the levying and enrolling treated of in lib. ii. tit. 23, § 6, of the edict of the 20th of September, 1832, on crimes and penalties; and generally, of the crimes mentioned in the edict of April 1, 1842, on criminal justice and military discipline:

"5. Maintaining always the application the penalties provided in the above-named legislative enactments, it is further ordained that the following offenders shall be punished with death, and with a fine of from 1,000 to 30,000 dollars, the amount of which is to be fixed by the court according to the gravity of the case; and which is to be always doubled in the case of those who are in default.

"§ 1. Those who take arms against their Sovereign and raise the revolutionary flag. § 2. Those who promote or maintain sedition or insurrection against the Sovereign and the Government by means of enlistment, by collecting arms and munitions of war, by supplying these arms and munitions or any other means whatever of creating disturbance, by the publication of printed or written matter for the purpose of exciting rebellion or insurrection, although the latter may not have taken place or may have failed in effect. § 3. Those who supply, or transmit, or knowingly retain in their hands money intended to aid and foment the rebellion of the people or the seduction of the troops from their allegiance, and generally any object whatever hostile to the Government. Such money may be lawfully confiscated for the benefit of the treasury, in whose hands soever it may be found, and although the holder of it allege his ignorance of the purpose for which it was destined. § 4. Those who excite one or more soldiers of the Pope to desert, although such desertion may not have taken place; also those who have favoured or tried to favour the same. § 5. Those who actually resist or oppose the public authority and force, so as to commit a serious breach of the peace, and those who are guilty of striking, or wounding, or assaulting, or compassing the death of military persons, although not actually on service. § 6. Any one who, in combination with one or more individuals, tries to disturb public order, or attempts a correspondence by letters or otherwise in the interior of the State, or with foreign countries, in order to change the nature of the Government. § 7. Those who break, or try to break, the wires, poles, and apparatus of the electric telegraph.

"6. The following offences will be punished with hard labour for a term of years to be extended according to circumstances to hard labour for life, and with a fine of from 100 to 10,000 dollars, according to the gravity of the circumstances; which fine is to be doubled in case of default. § 1. The spreading of false intelligence of an alarming nature, and the exciting to revolt by means of speeches or writing; also seditious cries and clamours. § 2. The affording refuge, knowingly, to a person guilty or accused of one of the crimes treated of in Article 6; and, also, the giving refuge to a deserter, and the facilitating desertion by means of false information, given, knowingly, to the public authority when in quest of the deserter. § 3. The manufacture, concealment, collection, and distribution of seditious emblems and signs, such as flags, ribbons, cockades, &c. § 4. The purchase of military effects belonging to the Government. § 5. Every species of contribution or solicitation of contributions, made

for an object hostile to the Government, and for transmission of money to the enemies of the State. § 6. All gatherings of people by day and by night, tending to disturb the public peace. § 7. The fact of belonging to secret societies, and of being present in seditious meetings, even when held in private places and with closed doors. § 8. The giving shelter to suspected persons, or those notoriously hostile to the Government, without giving immediate information to the Government. § 9. The tearing and defiling of public edicts, and the destroying or defacing the arms of the Sovereign fixed in any public place, when done through malice or contempt. § 10. Grave insults in public to the military when wearing their uniforms.

"7. In the application of the penalties enacted in Articles 5 and 6 of the present notice, whenever the court admits in favour of the criminal the benefit of extenuating circumstances, the pecuniary penalty may be separated from the corporal punishment, by the infliction of the fine only, which in such cases will be the maximum stated in the aforesaid Articles.

"8. From the moment that an individual is brought before a council of war, all his real and personal property, in whatever part of the state they may be, will be *ipso facto* subject to a general mortgage in favour of the treasury, and provisionally sequestered as security for the fine inflicted by Articles 5 and 9 of the present notice. The treasury is empowered, according to circumstances, to take all the measures it may consider necessary to prevent the detriment or entire loss of its rights.

"Those, also, will be subject to the full operation of this Article, who may have withdrawn themselves from the arrest ordered by the military authority, for the purpose of bringing them before the council of war.

"9. The prosecution shall be brought either before the court of the commandant of the military forces or of the judge. The indictment shall be made in a summary and expeditious manner by the military judge, assisted by his notary.

"The sentences of the council of war shall be without appeal, and the whole proceeding shall be according to the tenor of the before-mentioned edict of April 1, 1842.

"The General-in-chief, DE LAMORICIERE."

"*Spoletto, September 7, 1860.*"

On the 22nd September, Lord J. Russell wrote to Earl Cowley, with reference to certain remarks in a despatch of M. Thouvenel, "that her Majesty's Government certainly could not look upon Garibaldi, a Sardinian general, and a member of the Parliament of Turin, as a foreign adventurer; Garibaldi and Medici and Cosenza and Bixio, the leaders of the expedition to the Neapolitan territory, are all Italians, and their object has been to free Italy from all foreign interference. Even if Garibaldi were esteemed a firebrand, the materials were prepared for combustion. A firebrand on wet grass would be speedily extinguished, but if it falls on a barrel of gunpowder an explosion must ensue."

On the same day, Lord John Russell wrote to Earl Cowley on the subject of the intended reinforcement of French troops of occupation in Rome, requesting that it may be limited to the protection of the city, and entreating the Government of France well to consider whether it is consistent with its own high character and its enlightened policy that the strong arm of France should be stretched out to maintain power and authority which have been so greatly misused.

On the 23rd September, Lord John Russell received from the Marquis

\*d'Azeglio a memorandum relative to the entry of Sardinian troops into the Roman States.

On the 24th September, Lord John Russell learned from Sir James Hudson that the French Government had determined to recall the Minister of the Emperor at the court of Sardinia, and that Baron Talleyrand had quitted Turin. On the 26th, he received copies of decrees published by the Sardinian Government, naming the Marquis Joachim Pepoli the King's Extraordinary Commissary-General for the province of Umbria, and Signor Lorenzo Valerio, late Governor of Como, the King's Extraordinary Commissary-General for the provinces of the Marches.

On the 4th October, Lord J. Russell sent to Sir J. Crampton and to Lord Bloomfield the following despatch:—

"There occur, from time to time, cases in which the ordinary rules established by the law of nations cannot be observed without promoting the continuance of wars, desolating in their character, threatening a wide extension, and dangerous to the general balance of power.

"For instance, there is no more confirmed rule than that of leaving to every Sovereign the unrestricted power of putting down rebellion in his own territories. Yet in 1827 Great Britain, France, and Russia sent orders, by mutual agreement, to their Admirals in the Mediterranean, to prevent the action of Ibrahim Pasha, a vassal of the Sultan, engaged on behalf of his Sovereign in suppressing an insurrection in the Morea. So, likewise, in 1831-32, the army of France and the fleet of Great Britain were employed to prevent the King of the Netherlands from coercing his former subjects in Belgium, then in arms, and who resisted his authority.

"The case of Italy is another exceptional case. Victor Emanuel has not been able to restrain the ardour of his people in favour of Italian unity. He has not indeed openly espoused that cause, and he has, till very lately, maintained friendly relations with the King of Naples, and respected the territory still held by the Pope. But his efforts to prevent expeditions against those Sovereigns from Genoa and Leghorn have, as the Sardinian Government allege, from want of power in that Government to control national enthusiasm, proved entirely fruitless.

"On the other hand, it must be admitted that the Governments of Naples and of Rome were so tyrannical, so corrupt, so demoralizing, so odious to their subjects, that their fall might at any time have been expected. They were Governments under which innocence had no protection, and offences, other than political, incurred little chance of punishment. They had the inherent fault of being supported by the foreign arms and influence of France and Austria, by which the deepfelt discontent of their subjects was overruled and kept down.

"Her Majesty's Government, therefore, cannot share in the regret which is felt in some parts of Europe at the fall of these Governments."

On the 15th October, Lord John Russell received from Sir James Hudson copy of a manifest, issued by the Sardinian Government, and addressed to the people of Southern Italy:—

"PROCLAMATION.

"At this solemn moment of our national history and of Italian destinies, I address myself to you, peoples of Southern Italy, who whilst the State assumes my name, have sent spokesmen of every class of citizens, magistrates, and deputies of municipalities, soliciting to be restored to order, to be solaced with liberty, and to be united to my kingdom. I will reveal to you

the thought which governs me, and in what consists my conception of the duties which are imposed upon him whom Providence has called to an Italian throne. I ascended the throne after a great national calamity. My father set me a great example; abdicating the throne for his own dignity, and for the liberty of his subjects. Charles Albert fell with arms in his hands, and died in exile. His death more closely united the destiny of my family with that of the Italian people, who for so many centuries have strewed foreign lands with the bones of their exiles, determined to recover the right inherent in every race to whom Heaven has assigned the same confines, and united together with the symbol of one sole language. I trained myself to this example, and my father's memory was my tutelary star.

"My pledge with the crown left me no doubt as to my choice. I consolidated liberty in times unpropitious, and sought by its development to make it take root in the habits of the people, because that which was dear to my subjects could not be an object of suspicion to me. In the freedom of Piedmont those hereditary rights which the foresight of my august parent had bequeathed to all Italians were religiously respected. By representative franchise, popular instruction, great public works, freedom of industry and commerce, I sought to augment the well-being of my people; and, with due respect to the Catholic religion, but leaving every man free in the sanctuary of his own conscience, and strengthening civil authority, I openly resisted that obstinate and persecuting faction which boasts of being the only friend and guardian of thrones, but which pretends to control in the name of monarchs, and to interpose between the Prince and his people the barrier of its own intolerant passions.

"These forms of Government could not fail to influence the rest of Italy. Concord between the Prince and the people in propounding national independence and civil and political liberty, a parliament and a free press, an army which had saved the military Italian tradition under the tricolour banner, made of Piedmont the champion and the strong arm of Italy. The strength of my Principality is not derived from the arts of an occult policy, but from the open influx of ideas, and public opinion. Thus I was enabled to maintain, in that part of Italy which was united under my sceptre, the idea of a National Government, which should bring the divided provinces into the harmonious concord of one sole nation. Italy understood my idea when my soldiers fought side by side with the armies of two great Western Powers on the battle-fields of the Crimea. I sought to make Italy enter into the reality of facts and of European interests. At the Paris Congress, my delegates were enabled, for the first time, to speak of your wrongs to Europe. It was manifest to all that the preponderance of Austria in Italy was dangerous to the European equilibrium; and how many risks the independence and liberty of Piedmont ran, if the remainder of the Peninsula were not emancipated from foreign influence.

"My magnanimous ally, the Emperor Napoleon III., felt that the cause of Italy was worthy of the great nation over which he rules. The new destinies of our country were inaugurated by a just war. Italian soldiers fought bravely by the side of the invincible legions of France. Volunteers from every province, and from every Italian family, under the banner of the Cross of Savoy, demonstrated that all Italy had invested me with the right of speaking, and of fighting in her name. State reasons imposed a conclusion to the war, but not to the consequences, which gradually developed themselves by the inflexible logic of events and of peoples. Had I the

ambition which is imputed to my family, not taking into account the course of events, I might have been satisfied with the acquisition of Lombardy. But I had lavished the precious blood of my soldiers, not for myself, but for Italy. I had called Italians to arms: some Italian provinces had changed their internal government to concur in the war of independence which their rulers abhorred. After the Peace of Villafranca, those provinces claimed my protection against the threatened restoration of the former Governments. If the deeds of Central Italy were a consequence of the war to which we had invited the peoples; if the system of foreign interventions was for ever to be abolished from Italy, I was bound to recognize and defend the right of those people, to the free and lawful manifestation of their votes. I withdrew my Government—they constituted a regular Government; I withdrew my troops—they raised regular forces; and they, emulating in concord and civic virtues, acquired such high repute that the violence of foreign arms alone could have subdued them.

“Thanks to the wisdom of the peoples of Central Italy, the monarchical idea was constantly confirmed, and monarchy morally guided that popular pacific movement. Thus Italy grew in the estimation of civilized nations and it became manifest to Europe how competent Italians were to govern themselves. Accepting the annexation, I knew to what European difficulties I was advancing. But I could not forfeit my word pledged to Italians in the war proclamations. If any in Europe charge me with imprudence, let them judge dispassionately what would have happened—what would have become of Italy on that day when monarchy should be impotent to satisfy the necessities of the national re-constitution. In the case of the annexations, if the national movement was not substantially changed, it assumed a new form. Accepting by popular right those beautiful and noble provinces, I was bound loyally to recognize the application of that principle, nor was I at liberty to estimate it by the measure of my affections and private interests. In support of that principle for the benefit of Italy I made a sacrifice which was most grievous to my soul, in renouncing two noble provinces, the heirlooms of my kingdom. I have always given sincere counsel to those Italian Princes who resolved to be my enemies; determined, if unheeded, to meet the peril which their blindness might cause to their thrones, and to accept the will of Italy. To the Grand Duke I had in vain proffered an alliance before the war. To the Sovereign Pontiff, in whom I venerate the Head of the religion of my ancestors and my people, I wrote in vain, offering, having made peace, to assume the Vicariat of Umbria and the Marches. It was evident that those provinces, kept down only by mercenary arms, if they did not obtain the guarantee of civil government which I proposed, would, sooner or later, rise in revolution.

“I will not recall the counsels given during many years by the Powers to the King of Naples. The opinions which at the Congress of Paris were expressed in regard to his Government, naturally prepared the people to change it, if the complaints of public opinion and the efforts of diplomacy had been vain. To his young successor I offered an alliance for the war of independence; there also I found entire absence of Italian affections, and intellects blinded by passion. It was natural that the events of Northern and Central Italy should excite more and more the minds of the South. In Sicily this feeling of the soul broke out into open revolt. Men were fighting for liberty in Sicily, when General Garibaldi, a brave warrior devoted to Italy and to me, flew to the rescue: they were Italians, I could

not and ought not to restrain them. The fall of the Government of Naples confirmed that which my heart knew already, namely that to the King the love, and to the Government the respect, of the people are indispensable. In the Two Sicilies the new system was inaugurated in my name. But some acts excited the fear that the policy represented by my name was not properly interpreted in every respect. All Italy feared that, under the cloak of a glorious popularity of a long tried probity, the attempt would be made to revive a faction ready to sacrifice the approaching triumph of the nation to the chimeras of their ambitious fanaticism. All Italians turned to me to avert this danger; it was my duty to do it, for now it would not be moderation and wisdom, it would be nothing but imprudence and weakness on my part not to assume with a strong hand the direction of the national movement, for which I am responsible in the face of Europe. I sent my soldiers into the Marches and Umbria, scattering the assemblage of foreigners of all nations and languages, that strangest form of intervention, and the worst of all. I have proclaimed Italy for the Italians, and I will not permit Italy to become a focus for cosmopolitan sects who may meet there to contrive schemes of reaction or of universal demagogic intrigues.

"Peoples of Southern Italy!

"My troops advance among you to maintain order. I come not to impose my will; but to make yours respected. You may freely manifest it: Providence, who protects the cause of the just, will suggest the vote which you should place in the urn. Whatever the gravity of events, I await calmly the judgment of civilized Europe and of history, conscious of having fulfilled my duties as a King, and as an Italian. My policy will, perhaps, not be inefficacious in reconciling the progress of nations with the stability of monarchy. As for Italy, I know that there I bring to a close the era of revolutions.

"Given at Ancona this 9th of October, 1860.

"(Signed)

VICTOR EMANUEL.

"(Signed) FARINI."

On the 18th October, Lord John Russell received from Mr. Elliot a despatch enclosing a letter from Marquis Pallavicini, Pro-Dictator of Naples, to M. Mazzini, inviting him to leave Naples, where his presence troubled the unity which should prevail; and an answer of M. Mazzini, declining to comply with the suggestion of leaving Naples, but announcing his abandonment of his own doctrines and his adhesion, out of respect to the opinions of the majority, to the unity of Italy under a monarchy. And on the same day, Lord John Russell received a copy of the following proclamation from General Garibaldi to the citizens of Naples, announcing the approaching arrival of King Victor Emanuel, and deprecating discord and party offences.

"To the Citizens of Naples!

"To-morrow, Victor Emanuel, King of Italy, the elect of the nation, will cross the frontier which has divided us for so many ages from the rest of our country, and, listening to the unanimous wish of these brave populations, will appear here amongst us.

"Let us worthily receive the messenger of Providence, and let us strew upon his path, as a pledge of our redemption, and of our affection, the flowers of concord so grateful to him and so necessary to Italy.

"No more political colours! no more parties! no more discords! Let



one Italy, such as the people of this metropolis wisely confirm, and the King Galantuomo be the everlasting symbols of our regeneration, and of the grandeur and prosperity of the country.

*"Naples, October 12, 1860.*

*"(Signed) G. GARIBALDI."*

On the 22nd, Lord John Russell received from Mr. Russell the following particulars respecting the occupation of the French troops, and as regards Papal finances:—

"The towns occupied by the French troops were Civita Vecchia, Corneto Viterbo, Ronciglione, Civita Castellana, Campagnano, Castelnuovo di Porto, Tivoli, Palestrina, Genzano, Valmontone, Albano, Velletri, and Frascati. The public mind was much distressed. The occupation has been reluctantly submitted to, and morally opposed. The village of Campagnano alone, belonging to Prince Chigi, volunteered to re-establish the Papal authority. Viterbo, Ronciglione, Civita Castellana—and, previously, Corneto—protested against the interference of the French troops, but had, of course, in the end, to submit. The French officer in command at Viterbo had to threaten to use his field-pieces before he could get the gates of the town opened. It was with difficulty that the inhabitants were coaxed into taking down their Italian flags. Many families were preparing to migrate into Tuscany.

"In the towns still under the Papal rule, such as Tivoli, Palestrina, Genzano, Valmontone, Albano, Velletri, and Frascati, another course of opposition was pursued. The municipal authorities declared that they could not make room for so many soldiers, and that provisions were also wanting. In some cases, General de Goyon, who is ever ready to do justice where he can, consented, with his customary good nature, to reduce the number of the troops of occupation.

"It was impossible to act in a more conciliatory spirit, and with more delicacy, than General de Goyon does in the execution of his unpopular duties. This is universally acknowledged and appreciated by the Romans; but, notwithstanding, the fear that France is about to abandon her policy of non-intervention has created deep and general alarm, and the more so since the priest party are spreading the report that 50,000 French soldiers are expected, and that the occupation is gradually to extend to Ancona, and embrace the whole of the Marches and Umbria. General de Goyon spoke of occupying Orvieto and Acquapendente. The General's instructions from Paris are said not to specify to what limits he may extend his occupation. It was left to his judgment of the military and strategical requirements for the defence of Rome."

As regards financial matters, Mr. Russell stated that a gentleman well versed in the present condition of Papal finances told him that the revenue derived from the Marches and Umbria in 1860, up to the day of the loss of those provinces, amounted to 30,000,000 francs, and that the loan and Peter's pence yielded about 40,000,000 more, making a sum total of 70,000,000 francs. The revenue of Rome, the Comarca and Patrimony, could not be taken into account, being, as he described it, totally absorbed by local expenses. The debt of the Papal Government at the close of the year would amount to about 55,000,000 francs, that is, 20,000,000 for the army, 25,000,000 interest on the 'Consolidati,' 10,000,000 for ecclesiastical expenses in Rome and the lost provinces, &c., leaving only 15,000,000 francs in the Papal budget by the 1st of January, 1861, and no income of

any sort to look forward to. Notwithstanding, the sovereign Pontiff declared his determination on no account to accept subsidies from the Catholic Governments of the world; but to make renewed and periodical appeals to the faithful for Peter's pence, until an European Congress shall have decided upon returning to him his lost but legitimate sources of existence.

On the 24th, Lord John Russell received a despatch from Mr. Elliot, containing the dictatorial decree, fixing for the 21st instant the vote of the kingdom upon the question of the annexation. It was to be taken by universal suffrage, and although not avowedly by open voting, it was so arranged that what each man did would be known and public opinion brought to bear upon it.

On the 27th, Lord John Russell sent to Sir James Hudson the following despatch on the state of political relations between Sardinia and other States:—

*“ Foreign Office, October 27, 1860.*

“ SIR,—It appears that the late proceedings of the King of Sardinia have been strongly disapproved of by several of the principal Courts of Europe. The Emperor of the French, on hearing of the invasion of the Papal States by the army of General Cialdini, withdrew his Minister from Turin, expressing at the same time the opinion of the Imperial Government in condemnation of the invasion of the Roman territory.

“ The Emperor of Russia has, we are told, declared in strong terms his indignation at the entrance of the army of the King of Sardinia into the Neapolitan territory, and has withdrawn his entire mission from Turin.

“ The Prince Regent of Prussia has also thought it necessary to convey to Sardinia a sense of his displeasure; but he has not thought it necessary to remove the Prussian Minister from Turin.

“ After these diplomatic acts, it would scarcely be just to Italy, or respectful to the other great Powers of Europe, were the Government of her Majesty any longer to withhold the expression of their opinion.

“ In so doing, however, her Majesty's Government have no intention to raise a dispute upon the reasons which have been given, in the name of the King of Sardinia, for the invasion of the Roman and Neapolitan States. Whether or no the Pope was justified in defending his authority by means of foreign levies; whether the King of the Two Sicilies, while still maintaining his flag at Capua and Gaeta, can be said to have abdicated—are not the arguments upon which her Majesty's Government propose to dilate.

“ The large questions which appear to them to be at issue are these:—Were the people of Italy justified in asking the assistance of the King of Sardinia to relieve them from Governments with which they were discontented? and was the King of Sardinia justified in furnishing the assistance of his arms to the people of the Roman and Neapolitan States?

“ There appear to have been two motives which have induced the people of the Roman and Neapolitan States to have joined willingly in the subversion of their Governments. The first of these was, that the Governments of the Pope and the King of the Two Sicilies provided so ill for the administration of justice, the protection of personal liberty, and the general welfare of their people, that their subjects looked forward to the overthrow of their rulers as a necessary preliminary to all improvement in their condition.

“ The second motive was, that a conviction had spread since the year 1849 that the only manner in which Italians could secure their independence of foreign control was by forming one strong Government for the whole of

Italy. The struggle of Charles Albert in 1848, and the sympathy which the present King of Sardinia has shown for the Italian cause, have naturally caused the association of the name of Victor Emanuel with the single authority under which the Italians aspire to live.

"Looking at the question in this view, her Majesty's Government must admit that the Italians themselves are the best judges of their own interests.

"That eminent jurist, Vattel, when discussing the lawfulness of the assistance given by the United Provinces to the Prince of Orange when he invaded England, and overturned the throne of James II., says, 'The authority of the Prince of Orange had doubtless an influence on the deliberations of the States-General, but it did not lead them to the commission of an act of injustice; for when a people from good reasons take up arms against an oppressor, it is but an act of justice and generosity to assist brave men in the defence of their liberties.'

"Therefore, according to Vattel, the question resolves itself into this: Did the people of Naples and of the Roman States take up arms against their Governments for good reasons?

"Upon this grave matter her Majesty's Government hold that the people in question are themselves the best judges of their own affairs. Her Majesty's Government do not feel justified in declaring that the people of Southern Italy had not good reasons for throwing off their allegiance to their former Governments; her Majesty's Government cannot, therefore, pretend to blame the King of Sardinia for assisting them. There remains, however, a question of fact. It is asserted by the partizans of the fallen Governments that the people of the Roman States were attached to the Pope, and the people of the kingdom of Naples to the dynasty of Francis II., but that Sardinian agents and foreign adventurers have by force and intrigue subverted the thrones of those Sovereigns.

"It is difficult, however, to believe, after the astonishing events that we have seen, that the Pope and the King of the Two Sicilies possessed the love of their people. How was it, one must ask, that the Pope found it impossible to levy a Roman army, and that he was forced to rely almost entirely upon foreign mercenaries? How did it happen, again, that Garibaldi conquered nearly all Sicily with 2,000 men, and marched from Reggio to Naples with 5,000? How, but from the universal disaffection of the people of the Two Sicilies?

"Neither can it be said that this testimony of the popular will was capricious or causeless. Forty years ago the Neapolitan people made an attempt regularly and temperately to reform their Government, under the reigning dynasty. The Powers of Europe assembled at Laybach resolved, with the exception of England, to put down this attempt by force. It was put down, and a large foreign army of occupation was left in the Two Sicilies to maintain social order. In 1848 the Neapolitan people again attempted to secure liberty under the Bourbon dynasty, but their best patriots atoned, by an imprisonment of ten years, for the offence of endeavouring to free their country. What wonder, then, that in 1860 the Neapolitans, mistrustful and resentful, should throw off the Bourbons, as in 1688 England had thrown off the Stuarts?

"It must be admitted, undoubtedly, that the severance of the ties which bind together a sovereign and his subjects is in itself a misfortune. Notions of allegiance become confused; the succession of the throne is disputed; adverse parties threaten the peace of society; rights and pretensions are

opposed to each other, and mar the harmony of the State. Yet it must be acknowledged, on the other hand, that the Italian revolution has been conducted with singular temper and forbearance. The subversion of existing power has not been followed, as is too often the case, by an outburst of popular vengeance. The extreme views of democrats have nowhere prevailed. Public opinion has checked the excesses of the public triumph. The venerated forms of constitutional monarchy have been associated with the name of a prince who represents an ancient and glorious dynasty.

"Such having been the causes and the concomitant circumstances of the revolution of Italy, her Majesty's Government can see no sufficient ground for the severe censure with which Austria, France, Prussia, and Russia have visited the acts of the King of Sardinia. Her Majesty's Government will turn their eyes rather to the gratifying prospect of a people building up the edifice of their liberties, and consolidating the work of their independence, amid the sympathies and good wishes of Europe.—I am, &c.,

"J. RUSSELL."

On the 30th October, Lord John Russell wrote to Earl Cowley that her Majesty's Government had been informed from Turin, and also by Count Ludolf, the Minister of the King of the Two Sicilies, that the Emperor of the French had given orders to his admiral in the waters of Naples not only to prevent any blockade of Gaeta, but to oppose any operations against Gaeta from the sea. There were two aspects under which this measure might be regarded. It might be intended as a mode of saving the King of the Two Sicilies from the risk of personal capture by the naval and military forces now in arms against him; or, it might be a mode of espousing the cause of the King of the Two Sicilies against the popular march of the forces under Garibaldi and against the army under the King of Sardinia, and the vote by universal suffrage which had just been taken in Naples and Sicily. Lord John Russell instructed Earl Cowley to ascertain from M. Thouvenel in which of these two aspects the present measure of the Emperor of the French is to be regarded.

And again, on the 3rd November, Lord John Russell wrote to Earl Cowley that it appeared to her Majesty's Government that if the object of the Emperor of the French was only to enable the King of the Two Sicilies to make an honourable capitulation, the Emperor should recommend that course to the two Sovereigns now in array against each other. Her Majesty's Government would be glad to see the King of the Two Sicilies obtain the most honourable terms, but her Majesty's Government trusted that the Government of the Emperor would not infringe the principle of non-intervention in the actual hostilities in Italy, to which her Majesty's Government strictly adhered.

On the 12th November, Lord John Russell received from Mr. Elliot the result of the votes officially declared. In favour of the declaration that the people wish for Italy one and indivisible, with Victor Emanuel as constitutional king, and his legitimate descendants, the numbers were 1,302,064; against it, 10,312. On the 15th, Lord John Russell received from Mr. Russell a copy of a further protest against the policy of Sardinia and Italy, addressed by the Cardinal Secretary of State to the diplomatic body in Rome.

On the 15th November, Lord John Russell learned from Mr. Elliot, that General Garibaldi left Naples on the 9th, and had reached his Island of

of Caprera, carrying with him the personal respect and admiration even of those most opposed to his projects and loudest in their denunciation of the lawlessness of his enterprise.

After several months of the exercise of absolute dictatorship over Sicily and Naples, he was known to have been forced to borrow a few pounds to defray some trifling debts, and refusing all honours and emoluments from his Sovereign, he retired to his island, where he lived in a style but one degree above that of an ordinary peasant. A general opinion prevailed that he had not received at the hands of King Victor Emanuel the consideration that his great services seemed to entitle him to, and this was said to have caused serious dissatisfaction among some classes of the population of Naples. Mr. Elliot, however, understood that his Majesty had expressed his sense of his services in the most handsome language, and would willingly have conferred upon him the highest honours in the gift of the Crown; but nevertheless his ministers and advisers could not be entirely acquitted of a want of consideration or generosity, and there was no doubt that, after having bestowed two kingdoms upon his Sovereign, General Garibaldi's last days at Naples had been embittered by the sense of neglect and of ingratitude.

Before leaving, General Garibaldi issued the following farewell address to his companions in arms:—

“To my Companions in Arms!

“Arrived at the last stage but one of our regeneration, it is necessary for us to take into consideration the period which is about to finish, and prepare ourselves to terminate splendidly the stupendous conception of the elect of twenty generations, the execution of which has been assigned by Providence to this fortunate generation.

“Yes, young men! Italy owes to you an enterprise which merits the applause of the world. You have conquered—and you will conquer; for you have now and for ever learnt those tactics which decide battles. You have not degenerated from those who entered into the deep ranks of the Macedonian phalanx, and rent open the breasts of the proud conquerors of Asia. To this stupendous page in the history of our country shall follow one still more glorious, and the slave will finally show to his free brother a link which belonged to the rings forming his chain. To arms, all! all! and the oppressors—the all-powerful—shall be swept away like dust. And you, O women! put away from you all cowards; they will engender but cowards: and you, daughters of the land of beauty! have need of a brave and generous offspring. Let the cowardly doctrinaires drag elsewhere their servility and their paltry sentiments. This people is now its own master. It wishes to be a brother of other peoples, but to look upon the arrogant with an uplifted brow; not fawning and begging its liberty—not towed along by men whose hearts are dirt. No! No! No!

“Providence has given Victor Emanuel to Italy. Every Italian should unite himself to him. All should gather close around him. By the side of the ‘Re Galantuomo’ every strife should disappear, every rancour be dissipated. Once again I repeat my cry to you—To arms, all! all! If the month of March, 1861, does not find a million of Italians under arms, oh then, poor liberty! alas for Italian existence! Oh no! away with a thought which I loathe as poison. March, 1861, and February if necessary, will find us all at our post.

“Italians of Calatafimi, of Palermo, of the Volturno, of Ancona, of Castel-

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fidardo, and of Isernia, and with us every man of this land who is neither servile nor a coward—all, one and all—gathered closely around the hero of Palestro, we will give the last shock—the last blow, to the crumbling tyranny. Receive, young volunteers, honourable survivors of ten battles, one farewell word. It parts laden with affection from the depths of my soul. I leave you to-day; but for a short time only. The hour of combat will again see me among you, by the side of the soldiers of Italian liberty. Let those alone that are called by imperious family duties return to their homes, and those who by their glorious wounds have deserved the gratitude of the country. They will still serve her around their hearths, by their counsels and the sight of the noble scars which decorate their manly brows of twenty years. These excepted, let all remain to guard our glorious banner. We shall soon meet again, to march together towards the redemption of our brethren, still slaves of the stranger. We shall soon meet again, to march together to new victories.

*"Naples, November 8, 1860.*

*"(Signed) G. GARIBOLDI."*

On the 29th, Lord John Russell learned from Mr. Elliot that, according to an analysis which has been published here of the votes upon the different occasions in which appeal has been made to universal suffrage, the votes given have been in the following proportion to the population of the countries:—In France, in 1848, 21·28 per cent.; in France, in 1851, 53·19 per cent.; in France, in 1852, 23·25 per cent.; in Tuscany, 21·17 per cent.; in Emilia, 20·09 per cent.; in Naples, 19·17 per cent. Although the numbers who have here taken part in the vote may be considered rather small, the proportion of affirmative to negative votes amounted to no less than 99·21 per cent., which was greater than it had been in any preceding instance, except in the Emilia, where they amounted to 99·64 per cent. of the votes recorded.

On the same date Lord John Russell received a despatch from Mr. Elliot, announcing that King Victor Emanuel made his entry into Naples on the 7th, and that on the 1st December he arrived at Palermo, when he issued the following proclamation:—

**"PROCLAMATION.**

"My soul is deeply moved as I put foot on the soil of this illustrious island, which formerly, as a presage of the present destinies of Italy, had for its prince one of my ancestors, which in our own day elected as its king my regretted brother, and which now calls upon me by an unanimous vote to extend to it the benefits of liberty and of national unity.

"Great things have been accomplished in a short time; great things still remain to be accomplished: but counting on the help of God, and on the virtue of the nations of Italy, we hope to arrive at the accomplishment of this magnanimous enterprise.

"The government which I bring to you will be a government of reparation and of concord: it will sincerely respect the rights of religion, will maintain intact the old prerogatives which make the ornament of the Sicilian church and the support of civil order; it will lay the foundations of an administration which will re-establish the principles of morality, indispensable to every well-regulated society, and which, developing progressively the principles of social economy, will again bring forth the fertility of its soil, the commerce and activity of its shipping, and will make all the inha-

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bitants able to enjoy those gifts which Providence has freely scattered over this privileged land.

"Sicilians! Your history is the history of great deeds and of generous enterprises; the time is come for you, as for all Italians, to show to Europe, that if we understand how to attain, by valour, independence and liberty, we also understand how to preserve them by concord and by civil virtues.

"(Signed) VICTOR EMANUEL.

"(Signed) G. B. CASSINIS.

"*Palermo, December 1, 1860.*"

#### AFFAIRS OF NAPLES.

##### *Correspondence respecting the Affairs of Naples.*

On the 22nd June, 1859, Lord John Russell wrote to Mr. Elliot, that the question of the renewal of diplomatic relations had been decided by the reception of Prince Carini and the appointment of a Minister Plenipotentiary to Naples by her Majesty; that her Majesty was sincerely desirous to see the dynasty then on the throne maintained and consolidated; and that as regards internal reforms Mr. Elliot should remind the Prince of Satriano that the constitution had never been abrogated, and that the electoral colleges might at any time be summoned without a change of the existing law.

On the 23rd June, the Earl of Malmesbury received a communication from Mr. Elliot, to the effect that he had pressed upon M. Carafa the urgency of taking immediate measures for the relief of the prisoners confined, without trial, in the various Neapolitan prisons. Mr. Elliot also informed him that what the liberal party required was a guarantee, if not for the constitution of 1848, at least for a return to a constitutional system. Mere administrative reforms would not be sufficient permanently to satisfy the just expectations of the Neapolitan people.

On the same date the Earl of Malmesbury received from Mr. Elliot the royal decree granting an amnesty to the political offenders of the years 1848 and 1849, and announcing the pardon of the persons known under the name of the "attendibili," who had been subjected to the surveillance of the police. About 40,000 or 50,000 persons were supposed to be thus relieved from a detested supervision, and from the disqualifications to which they were subjected. On the 28th the Earl of Malmesbury received another despatch, dated the 20th, from Mr. Elliot, to the effect that a decree had been prepared, authorizing the return of the whole of the Sicilian exiles. The desire for a constitution was, however, daily increasing, and converts to the cause were gained from the highest quarters.

On the 6th July, Lord John Russell instructed Mr. Elliot to press strongly on the principal Minister of the Crown the necessity of abolishing, as soon as possible, the despotism of the police. Men may differ about the merits of representative constitutions, and the form and time in which they should be put in force; but there can be no difference of opinion among enlightened men about the necessity of a due, impartial, and speedy administration of justice. To keep men in prison without trial; to place them under a zealous and suspicious police, thus embarrassing all their actions, even the most innocent, is contrary to every principle of justice:

it is also a violation of the code by which the Neapolitan Government professes to be guided. It was the open, systematic, and continued violation of justice which induced her Majesty's Government to suspend friendly relations with Naples. Perhaps the best course would be to summon a representative assembly, and frame, with their assistance, laws by which arbitrary government may be checked. But that, at all events, some steps in favour of liberal institutions were absolutely required, in order to prevent an outburst of discontent, which can only be suppressed by military force.

Again, on the 7th July, Lord John Russell wrote to Mr. Elliot, urging the importance of King of the Two Sicilies deciding at once to adopt a liberal system of internal policy as the only chance of averting a political convulsion, and of maintaining himself and his dynasty on the throne.

"It seemed hardly credible that either his Majesty, or any of the counsellors by whom he is surrounded, should shut their eyes to the perils of the present moment, or expect that when the rest of Italy is agitated by hopes of liberty and improvement in its social position, Naples alone should remain uninfluenced by the general movement. The King may now with a good grace enter upon a new system of government. He can do so without exposing himself to any imputation of inconsistency, and a less measure of alleviation would be accepted with gratitude by his subjects if spontaneously granted now, than if it were hereafter extorted by revolutionary violence. It may suit the purposes of those who have thriven on the past abuses, to encourage the King to follow in his father's footsteps, for a change of system would probably lead to their ruin; but it appears to her Majesty's Government that the King has now to choose between the ruin of his evil counsellors and his own; if he supports and upholds them, and places himself under their guidance, it required not much foresight to predict that the Bourbon dynasty will cease to reign at Naples, by whatever combination, regal or republican, it may be replaced. Her Majesty's Government fully admit that it is not desirable that any Government should be hasty or intrusive in giving advice regarding domestic changes in another country; but when the throne of an ally may be endangered, it became the duty of a friendly Power to say that, notwithstanding its desire to see the present dynasty maintained on the throne of Naples, neither the moral nor the material support of England is to be looked for by the King, if, by a continual denial of justice, and the refusal of an improved form of internal administration, the Neapolitan people should be driven into insurrection, and should succeed in expelling the present dynasty from the throne. It would surely add to the stability of the King's throne, both at home and abroad, if it were known that the sympathies of the British Government were enlisted in his favour; while, on the other hand, the mere fact of a policy being persevered in by his Majesty, which must notoriously alienate those sympathies from him, is of itself the strongest encouragement to perseverance which can be held out to persons honestly seeking, but determined to obtain at all hazards, an improvement in the internal administration of the Neapolitan territories."

On the same day Lord John Russell instructed Mr. Elliot to assure General Filangieri that, in the opinion of her Majesty's Government, there was no chance of safety for the King and his dynasty but in the convocation of a representative assembly. His lordship also approved of Mr. Elliot's recommendation that the amnesty should be so extended as to include Baron Poerio and his companions. And he announced to Mr. Elliot that the



Queen had appointed him her Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Naples.

On the 28th July, Lord John Russell wrote to Mr. Elliot to the effect that the leaders of the liberal party should be told that her Majesty's Government could not encourage them in any course which might bring down upon them the resentment of their Government. In such case her Majesty's Government could not interfere to protect them, and must, therefore, be cautious in giving them any advice. It appeared, however, to her Majesty's Government, that the persons in question ought not to present any petition, or take any step which might be, or which might be considered, illegal. The wish of her Majesty's Government was to see the Neapolitan dynasty supported on the basis of liberal institutions, and they would not fail to speak in that sense to the Minister who might be appointed to represent the King of the Two Sicilies at the Court of her Majesty.

On the 1st August, Lord John Russell received a communication from Mr. Elliot, in which he stated that the best proof of the entire absence of the sense of individual liberty that could be afforded was that, though the whole of the Sicilian exiles had been offered permission to return to their country, not one of them had as yet chosen to avail himself of it.

On the 3rd August, Lord John Russell received from Mr. Elliot a copy of the instructions addressed by Prince Satriano to the Ministers of the Interior, of Police, and of Public Works, upon cleaning the streets of Naples, purifying the prisons (measures of no political importance), and examining the propositions of the provincial councils. He sent also a copy of the instructions from Prince Satriano to the Minister of Justice, directing a searching inquiry and report to be made upon the manner in which every judicial officer had fulfilled the duties of his office, with a view to the suspension or dismissal of such of them as shall be found undeserving. On the 1st August, Mr. Elliot informed him that the Government had taken the case of the untried prisoners confined for nearly three years in the prisons of Santa Maria Apparenté into consideration, and had decided upon one of those half measures of justice which appeared so peculiarly to their taste. Only a portion of the prisoners had been removed to the island of Capri, and there set at liberty, with an allowance from the Government of 4*d.* a day.

On the 8th September, Lord John Russell received from Mr. Elliot a sketch of the provincial organization of the kingdom of Naples, which was considered by many competent judges to be capable, with some development, of becoming a system which would insure to the country a fair amount of local self-government.

"The kingdom is divided into provinces, districts, arrondissements, and communes. At the head of each province is a prefect ('intendente'), named by the King, with purely administrative functions. He has no military command, but makes regulations for the execution of the laws, and superintends the administration of the province; though his powers are much curtailed by being obliged to refer constantly to the Government, and to await their order. He is assisted by a prefectural council ('consiglio d'intendenza') composed of from three to five members, likewise named by the King, whose opinions he is obliged, in most instances, to consult. There is also in each province a provincial council, consisting of from fifteen to twenty members, chosen as I shall afterwards describe, which meets every year for twenty days: its duty being to examine the budget of the province,

to apportion their share of the direct taxes among the districts, to settle the public works, and, finally, to examine into the conduct of the public officers, and even of the 'intendente' himself. These attributes are, in appearance, extremely extensive and important; but, under the system of tyranny and terror which has prevailed, the advice of the councils has rarely been attended to, and their reports upon the public officers has, for the most part, been but a panegyric upon the intendente and upon the Government. Each district has a sub-prefect, named by the King, and a district council, which meets every year; but everything is so managed that the sub-prefect only obeys the orders of the prefect.

"At the head of each commune there is a mayor, with adjuncts, and a municipal council, consisting of from eight to thirty members, which meets every month. Its nominal powers, with regard to the municipal administration, are very extensive; but they are paralysed by the system of centralization under which everything is left, virtually, in the hands of the Government. The prefects, sub-prefects, the members of the prefectural councils, and the presidents of the provincial and of the district councils, are named by the King; but all the other public officers are selected from a list prepared in each commune of the 'eligible,' among which each man of 28 years of age possessed of a certain property has a right to be inscribed. From this list the prefect sends in to the Government three names for every member of the municipal council to be chosen; then the municipal council sends the names of those they propose as mayors, adjuncts, provincial and district councillors to the Government, which, however, have a right twice to reject the candidates offered to their choice, or, finally, to make a direct selection from the list of the 'eligible;' a right which manifestly leaves the whole selection of persons for municipal employment at the absolute control of the Government."

On the 8th September, Lord John Russell heard from Mr. Elliot, that since the issue of the decree by which the "attendibili" were relieved from their disabilities, both the French Minister and himself had been repeatedly assured that it had not received an honest application, and that many persons were still kept in the same thralldom as before. A list was obtained of a certain number of persons who had been refused permission to travel from one part of the kingdom to another for no other crime than of being "*soupçonnés d'être suspects*."

On the 2nd October, Lord John Russell heard from Mr. Elliot that the Neapolitan Government were unanimous in opinion that any change in the institutions of the country would be productive of revolution, and that their efforts must be confined to endeavouring to effect some improvements in the administration of the existing laws, and to cause them to be respected. A few days after Mr. Elliot announced by telegraph the arrest of fourteen distinguished men, but twelve out of these were immediately after released. From September to December Mr. Elliot continued to report some abortive steps taken by the Neapolitan Government; and, on the 16th January Lord John Russell sent him instructions to explain to Prince Satriano, and, through him, to the King, the policy of the British Government, as follows:—

"Your language to his Excellency on this subject is entirely approved by her Majesty's Government. We wish well to the Neapolitan dynasty. We have no desire to interfere with the internal government of Naples and Sicily. But we cannot blind ourselves to some obvious truths. It is

evident that the commonest rules of justice are not observed by the King of Naples towards his subjects; that the exasperation caused by oppression is the parent of plots, assassinations, conspiracies, and insurrections; that her Majesty's agents and consuls, while they religiously abstain from taking a part in such plots, have had convincing evidence of their existence. Should such conspiracies endanger the throne of his Sicilian Majesty, her Majesty's Government can only lament the blindness which afflicts his council. But her Majesty's Government will neither accept any part of their responsibility, nor undertake to ward off the consequences of a misgovernment which has scarcely a parallel in Europe. The reforms necessary require no elaborate machinery or profound meditation. Let the Neapolitan Government arrest no man without bringing him to trial face to face with his accusers. Let them subject no man to injurious restrictions without proof of some crime or offence against public order; let the law, as it stands, be equally applied to all. With these simple but broad changes, a beginning would be made; popular institutions might follow; time for deliberation would be gained, and the Government might even obtain a reputation for justice and honesty. But the course at present pursued can only lead to destruction."

On the 8th February, Lord John Russell received from Mr. Elliot a translation of a secret circular from the Director of Police to the intendents of the provinces, directing them, "without the slightest hesitation," to arrest not only all political delinquents, but also all those against whom there were even grounds for suspicion. The circular concluded by significantly informing the Intendants that they were expected to show their obedience to the instruction "by their acts," thus conveying a very intelligible intimation that those who look for the favour of the Government must collect a proper number of victims. Further arrests having afterwards taken place, Mr. Elliot waited on M. Carafa, and used all the arguments in his power to persuade the Government to pause in the fatal course in which they had embarked; and he especially pointed out that at a moment when the administration was without a president or head, the odium of these measures would fall directly upon the King himself; and he concluded by saying that, as he felt convinced that the destruction both of his Majesty and of the dynasty was inevitable, unless wiser counsels were listened to, he would beg M. Carafa to request for him the honour of an audience, in order that when the catastrophe arrives, he may not have upon his conscience the reflection that he had not done all in his power to save an inexperienced Sovereign from impending ruin.

On the 19th March, Lord John Russell wrote to Mr. Elliot that her Majesty's Government approved the step taken by him to ask an audience of the King with a view of doing all in his power to save an inexperienced Sovereign from impending ruin. It was not probable, nor was it, indeed, to be desired that the Government of the Two Sicilies should continue for any long time to form a marked contrast to the Government of Northern and Central Italy. It was, therefore, the obvious interest of the King of the Two Sicilies to endeavour to gain the affections of his people by attention to their welfare, and by respecting the principles of law and of justice in his treatment of suspected persons.

## LANDING OF GARIBALDI IN SICILY.

*Further Correspondence respecting the Landing of General Garibaldi in Sicily.*

On the 14th May, 1860, Mr. Elliot sent to Lord John Russell a copy of a note from M. Carafa, relative to the armed expedition which had landed at Marsala, complaining that the fire which the royal ships of the cruising squadron had opened was obliged to be suspended, to give two English steamers time to take on board their officers, who were on shore; and that when these were embarked, the cruising ships were no more able to impede the landing of the brigands into Marsala. M. Carafa stated that he communicated the details of the occurrence to the British and other Ministers, in order that they might inform their Governments; and in order that, whatever the consequences might be of an attempt perpetrated against all right, in violation of international law, and by reason of which Italy might find itself plunged in the most bloody anarchy, compromising, at the same time, the whole of Europe, the responsibility of such an act might not fall on any others than the authors, the aiders, and abettors of the barbarous invasion which had taken place. To this note there was annexed a memorandum of the particulars of the invasion, as follows:—

“Since the 28th April, the concentration has been apparent in Genoa of Italian emigrants (principally Sicilians), Lombards, Piedmontese, natives of the Romagna, and Tuscans, of notoriously extravagant political opinions, and more especially of a crowd of those volunteers from amongst whom Garibaldi, during the recent war, formed his corps of *Cacciatori delle Alpi*, who afterwards were enrolled in the regular army, and who, according to a generally believed report, had recently been expressly discharged. These numerous persons have assembled both by sea and by the railroads, and it has not yet been denied that they were enabled to travel with entire liberty, and absolutely at free cost.

“Garibaldi, who was known to be in Genoa, and who from time to time became invisible and impossible to find, latterly established himself in the Palace Passano at Quarto: and there were assembled in crowds, and concentrated, not only foreigners who were constantly arriving, but those numerous Genoese whose antecedents, namely, their being members of shooting-clubs, and otherwise remarkable, rendered them conspicuous as ultra-Liberals. This concourse excited the attention and the fears of all, excepting of that Government which it seemed impossible to move by any means. Whilst the intention of effecting an armed disembarkation in Sicily, in order to foment the revolution, was openly manifested by public notices, by public speeches, by theatrical representations, and by other means publicly made use of, without an attempt at concealment of any kind, arms and ammunition were carried to the Palace Passano, which had become an arsenal. Arms and implements of warfare, not belonging to the army or the ordnance, were carried about freely in the city. By these and other means, the announcement of preparations against Sicily having become public, the departure of the expedition having been several times postponed, and finally it being announced that it would be concentrated in Malta, we arrived at the 5th of May.

“After noon on that day, 100 men armed, having in two boats left the western side of the port (every approach is guarded by sentries), embarked

on board of the Sardinian commercial steamers *Piemonte* and *Lombardo* (the property of the company Rubattino, the same to whom the *Cagliari* belonged). The first-named of those two steamers had arrived the day before from Tunis; the other was not to have left before the 9th, for the Italian line. Nevertheless, in both vessels the lockers were found full of combustibles, and probably they were amply provided with provisions. The captains were absent; and in one case at least, perhaps the *Piemonte*, the engineer also. Giuseppe Orlando, a Neapolitan emigrant, a partner in a foundry in Genoa, undertook the duties of these men.

"Without any impediment being offered either by the port guard-ship, by the Sardinian ships of war which were there, by a Spanish war-steamer, by two French ships who were also present, by the naval arsenal, which was quite close, or, lastly, by the land batteries, the aggressors lighted the engine's fires on one of the ships, then waited unmolested till the steam was got up and had sufficient strength to turn the paddles (an operation which, at least, must have required an hour), and, having taken the other vessel in tow, left the port to anchor almost within range of cannon shot, and before the military post of the harbour.

"Here a quantity of boats were waiting, with a considerable number of those enlisted for the service, a crowd which was increased by curious spectators. Under the direction and superintendence of Garibaldi the embarkation commenced; and those who left, for the most part, went in carriages, accompanied by their friends cheering vociferously. Before sunset the embarkation, which had been subsidiarily effected from the port itself, was not completed, which circumstance, though it seemed to be pretended that the steamers were taken by force, proves clearly that the business was transacted in open daylight.

"It is reported that one of the steamers, after leaving the harbour (which was effected at daybreak on the 6th), took in tow a Greek sailing-vessel, fitted, like the steamers, as an arsenal for the use of those Sicilians who might follow the present movement. In the course of the night Garibaldi embarked from Quarto on board a launch, and, with others, boarded the steamers to inspect them. They, with their large and remarkable cargo (certainly arms and ammunition) pursued the same course. It has been, moreover, asserted that, in the same way, six rifled cannon were embarked, which were taken from the shore at Nervi.

"At daybreak the steamers were sighted off the Riviera di Levante, and it is believed that they stopped at various points to communicate with the land. On his examination, the captain of the steamer *Amalfi*, bearing the royal flag, has declared that he distinctly saw them leave the Gulf of Spezia between 6 and 7 P.M., full of passengers. Amongst those on board are the pilots of three merchant ships of Palermo, who deserted on the 5th from Genoa. All the inhabitants of Genoa could have been eye-witnesses of these facts, inasmuch as all are certainly cognizant of them, owing to their notoriety."

On the 18th May, Mr. Elliot communicated that upon the reception from Vice-Admiral Fanshawe of the report of Commander Marryatt, he immediately protested against the statement of the Neapolitan Government that the fire of their vessels upon the expedition landing at Marsala had been impeded by two British steamers. The facts connected with the disembarkation at Marsala, as reported by Captain Marryatt, of her Majesty's ship *Intrepid*, were as follows:—

"The *Intrepid* and *Argus* arrived at Marsala between half-past 10 and 11 A.M., on the morning of the 11th. Commander Ingram, of her Majesty's ship *Argus*, considering it likely that he would have to stay there three or four days, anchored his ship about three miles out, where the book of directions states the best holding ground to be. I, on the contrary, knowing I was to remain but a few hours, brought up as close to the shore as I could, distant from three-quarters of a mile to a mile from the lighthouse at the end of the mole. At 11:30 we landed, having got pratique, and being met by Mr. Cossins, the gentleman acting for the Vice-Consul, proceeded to his house, where some other English residents shortly arrived, and we then drove through the town with these gentlemen, visited the cathedral, and eventually went out to their wine stores, which are three in number, distant or rather extending from half-a-mile to one mile and a half from the city.

"Whilst here an Englishman came to report that two steamers were coming in from the north-west with Sardinian colours flying. We immediately ascended to a look-out place, and with a telescope watched the whole proceeding. The headmost and smallest steamer had a boat in tow which gave us the idea, at the time, of having been seized off the land, and made to do the duty of pilot. There was no hesitation shown in bringing the vessels in; they steamed round the bows of the *Intrepid*, and steered direct for the mole, where they arrived about 2 P.M., the first one getting in all right, the second grounding within 100 yards of it. At this time there were three Neapolitan vessels of war in sight, cruising between Marsala and Mazzara, a town twelve miles to the southward, viz., two steamers and a sailing frigate, six miles only from the Sardinian vessels. Before the Neapolitan arrived within range, the first Sardinian had discharged all her living cargo, which consisted of armed men, to all appearance well disciplined, as they fell into companies on landing, shouldered their muskets, and marched off in perfect order. The one which had grounded, however, having to land all her men in boats, had not succeeded in getting more than one-fourth out of the ship when the Neapolitan came within easy range of his guns; his bulwarks were down and guns laid, and we watched with some curiosity to see the result of his firing. Before this I had advised the owners of two or three English schooners to get their vessels out of the port, as they seemed to me to run a risk of being hit; but the wind being dead in, they could not be removed, consequently they had to take their chance. The Neapolitan, however, instead of opening fire, lowered a boat, and sent it towards the Sardinians; but when half the distance between the two ships had been traversed, the officer suddenly turned his boat round and pulled back to his own vessel as fast as he could.

"We now made sure the firing would commence, but we were surprised to see him paddling out towards the *Intrepid*, instead of frustrating at once the further landing of the expedition. The commanding officer of the *Intrepid* states that he was hailed by the commander of the Neapolitan, and asked if there were any English troops on shore: the reply he received was, 'No; the commanders of two English men-of-war are on shore, and two or three officers.' Shortly afterwards an officer came on board and asked for me, and seemed anxious to know when I should return: a boat had, however, been sent to me before his arrival, and I had sent an officer into the town to recall every one to their ships. By this time all the expedition had landed (4 o'clock), and he then began to open fire. Commander Ingram, Mr. Cossins, and myself now went on board to see the

commander of the Neapolitan: he informed us that large bodies of armed men had landed, and that he was obliged to fire on them; to which not the slightest objection was made, and nothing more passed than a request from us that he would respect the English flag wherever he saw it flying, which he promised faithfully to do. Whilst we were on board he continued his firing, and even offered a kind of apology for the shot going so low; but he said he did not wish to fire into the town, only on the armed men marching from the mole to the city gate. As we left the steamer, the frigate arrived under sail and fired a useless broadside; but before they could reload the guns, the new arrivals were safely inside the walled town of Marsala. On my return to the *Intrepid*, I found an officer from the other Neapolitan steamer on board; he had come to ask me to send a boat to the Sardinian vessels with him to get them to surrender. This I declined to do. A short time after my refusal, boats manned and armed were sent in, and the vessels being totally abandoned were taken possession of, and the Sardinian colour hauled down. It is hardly necessary for me to say that the report current in Naples, as conveyed to you by telegraph from her Majesty's Ministers is entirely without foundation: to say that it is mischievous, is to use too mild a term, as it brings a false accusation against the commanders of two English vessels of war, who happened to be there by the merest chance at the time of this occurrence, and who were as much astonished at it as people never dreaming of such a thing could be."

"J. H. MARRYATT, *Commander.*"

On the 28th May, 1860, Mr. Elliot communicated that, in answer to his protest, M. Carafa had sent a note, stating that the officers of her Majesty's ships had not, intentionally or unintentionally, interfered with any of the Neapolitan operations, and that the Royal Government never had the intention of casting any blame nor impugning the responsibility of the operations of those on board the British ships, but was desirous simply of stating all the circumstances in which the royal vessels found themselves, and under which they acted; and, above all, to bear witness to the scrupulosity with which their commanders had acted up to the stringent instructions they had received, to respect, as far as their duty permitted, the person and property of foreigners.

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#### ITALIAN AFFAIRS.

##### *Further Correspondence relative to the Affairs of Italy.*

On the 7th June, Mr. Hammond received from the Secretary to the Admiralty a copy of a letter from Vice-Admiral Martin, dated the 2nd June, with particulars relating to proceedings at Palermo and the state of affairs in Sicily, Rear-Admiral Mundy having done what he could to bring about a cessation of the bombardment.

On the 13th, Lord John Russell learned from Earl Cowley that M. Thouvenel asked whether it was true that General Garibaldi had been assisted in his late battle with the Neapolitan troops by some sailors of her Majesty's ship *Renown*. But Commander Forbes, R.N., who had been present on the occasion, reported the facts to be as follows:—

"About two o'clock on the afternoon of the 1st of October, a party of

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sailors belonging to the *Renown*, who were on shore on leave, came by the railroad to Santa Maria to see what was going on. While these men were standing looking on, a party of Garibaldians came up, dragging two partially dismantled guns which had been taken from the Neapolitans. These guns stuck about 200 yards from Santa Maria, on which an Englishman among the Garibaldians asked the sailors 'to bear a hand.' This was readily done, and the guns were brought into Santa Maria; but beyond this the men of the *Renown*, Captain Forbes assured me, took no part whatsoever in the battle."

On the 22nd, Lord John Russell received a letter from Count Ludolf, complaining of the active part taken by the crew of the *Renown*, and asking explanations calculated to remove the feelings of pain which the news of the fact had naturally excited.

On the same date, Lord John Russell heard from Mr. Elliot on the subject. He stated that some men deserted from her Majesty's ships, in order to join Garibaldi, and it was probable that they may have taken a more active part. Rear-Admiral Mundy, however, stated that he endeavoured to enforce implicit compliance with the wish and determination of her Majesty's Government to maintain a strict neutrality.

On the 18th October, 1860, Lord John Russell received from Mr. Elliot a communication announcing that it was the intention of the Dictatorial Government of Southern Italy to place the ports of Messina and Gaeta in a state of effective blockade; and he asked whether such a blockade should be recognized. On the day after, Lord John Russell received from Count Ludolf the following despatch on the subject:—

"London, October 19, 1860.

"The Minister of Foreign Affairs established in Naples addressed a communication on the 6th instant to the diplomatic and consular body of all the Powers accredited to the king the august Sovereign of the undersigned envoy extraordinary and minister plenipotentiary, declaring the harbours of Messina and Gaeta in a state of blockade; and it was announced at the same time that the ships of war necessary to render such blockade effective were about to be despatched, in accordance with the principles recognized in the Treaty of Paris of 1856; and this measure was notified for the guidance of foreign commerce.

"His Majesty's Government is not aware that any of the ministers or consuls have recognized a step so opposed to the law of nations; but at any rate it considers it necessary to protest in the most energetic manner against this fresh outrage to the principles which constitute the foundation of the existence of nations.

"The legitimate Sovereign of the Kingdom of the Two Sicilies being, by the most scandalous invasion, reduced to defend himself on the line of Capua and Gaeta, is not only attacked on land by the united forces of the revolution, but the ships of his own navy are turned against him to blockade him.

"The European Powers cannot recognize a blockade decreed by an illegitimate power. In order to impose a sacrifice of the liberty of the sea, and the interruption of their commerce, upon other nations, it is requisite that a government be openly and officially acknowledged by others. Garibaldi does not represent a government. Naples in revolution is not a nation. The only nation recognized by treaties is the Kingdom of the Two Sicilies;



and the Sovereign of this kingdom, recognized as such by all the others, is now at Gaeta.

"According to these premises, the blockade decreed by Garibaldi is illegal: no nation can accept the consequences thereof; and, therefore, the unlawful acts of maritime hostility, and the arbitrary interruption of the commerce of neutrals, are, by the law of nations, acts of manifest piracy.

"It cannot be admitted that civilized Europe of the nineteenth century should tolerate piracy in the Mediterranean, nor that maritime Powers should look on with apathy at the consummation of acts which would overthrow all the principles of public and international law, which have been gained at the expense of so many vast efforts.

"It is in this conviction that the undersigned has the honour, by the express command of his Sovereign, to address to his Excellency Lord John Russell, Minister of Foreign Affairs, the present note, to which he calls the most serious attention of her Britannic Majesty's Government, awaiting a reply which he hopes may be in conformity with the principles he has appealed to above.

"He takes, &c.

"(Signed) LUDOLF."

Before answering this note, Lord John Russell instructed Sir James Hudson to ask the Sardinian Government whether they had ordered or sanctioned such a blockade, and Sir James Hudson answered in the negative.

On the 31st January, 1861, Lord John Russell received a communication from the Chevalier Fortunato, enclosing a dispatch of General Casella, Minister of Foreign Affairs, to the effect that as Gaeta was about to be blockaded, the king asked whether such a blockade would be recognised, to which Lord John Russell answered that the question of the legality of the blockade of Gaeta was one of international law. That there was no doubt that the King of Sardinia was at war with the King of the Two Sicilies, and was then besieging the fortress of Gaeta; and that whether the blockade by sea had been properly notified was a question of international law, upon which legal advice must be taken when her Majesty's Government have received a copy of the notification.

On the 4th February, Lord John Russell received a note from the Marquis d'Azeglio that the squadron of the King of Sardinia, with a sufficient number of vessels to render it effective, established the blockade of the fortress of Gaeta, commencing from the 20th January; and on the 20th Lord John Russell learned from the Marquis d'Azeglio that the capitulation of Gaeta on the 13th February put an end to the blockade. On the 23rd February, Lord John Russell received information from Sir J. Hudson that a decree had been issued ordaining that the Tuscan administrative autonomy as established in 1860 should cease to exist.

On the 21st February, Mr. Hammond received from the Secretary of the Admiralty a report of Rear Admiral Mundy, to the effect that the French steam-vessel *Monette* had conveyed King Francis II., the queen, and a large suite to Terracina, and that the capitulation of Gaeta had been the signal for great rejoicings amongst the people at Naples.

On the 20th February, Lord John Russell communicated to the Chevalier Fortunato that the intelligence which reached this country of the capitulation of the fortress of Gaeta and of the departure of his Majesty King Francis II., and the queen his consort, from his late dominions,

rendered it necessary that he should acquaint him that, under the present state of things, he could no longer be accredited at this court as the representative of the Government of the King of the Two Sicilies. Lord John Russell added, that he would not on that occasion indulge in vain regret at the catastrophe which befell the Bourbon Dynasty in the Kingdom of the Two Sicilies. The British Government had long foreseen, and had repeatedly warned, not only King Francis II., but his immediate predecessor, of the dangers they incurred by the policy they pursued; but Lord John Russell could not close his official intercourse with the Chevalier without requesting him to accept the assurance of his personal esteem, to which the manner in which he conducted the business that he had to transact with him had given him so just a claim.

To which the Chevalier answered as follows :—

*“London, February 22, 1861.*

“My Lord,—I have received with deep regret, although without surprise, the note dated the 20th, in which you do me the honour to inform me that his Majesty the king my august Sovereign having quitted his states, in consequence of the fall of Gaeta, I could not for any further period be accredited to this Court as the representative of his Sicilian Majesty.

“I say ‘without surprise,’ my Lord, because it has for a length of time been easy to foresee that the British Government would come to this resolution; on the one hand from the want of sympathy, of good will, and I will even say of generosity towards the king’s cause, of which they have given proof, and which I have had to note with profound regret more and more every day, when their support would have been to him of the most efficacious nature; and, on the other, by the strong encouragements given to the movement in Italy, which in giving help to the revolution could not but paralyse the generous efforts and that noble and heroic courage with which the king has defended up to the last the rights of his subjects and of his crown.

“It is to this moral support of the British Government that Italy owes it in a great measure, your Excellency avows it yourself, that she is at this day almost entirely subjected to the dominion of the king of Piedmont. It remains only to be seen if the desired unity will ever be accomplished and consolidated; and if England, who appears from her policy to have had it in her eye to make of Italy a powerful ally, through the gratitude which the latter would owe her, will not hereafter have cause to regret that policy, when one day she sees her allied to a powerful rival. Still, your Excellency has chosen on many occasions to express your regret at the final catastrophe which has brought with it the fall of the dynasty; but you lay the blame of this entirely upon the king’s Government.

“Permit me, my Lord, on the last occasion that I have the honour of addressing your Excellency officially, to lay down in the interests of justice and of truth the exact nature of the facts and of the circumstances which have led to the deplorable events of which Italy has been the theatre. The young king, from his first accession to the throne, has had no other thought nor other aim than the good and the prosperity of his subjects, and it has surely been very unjust not to have reckoned in his favour the immense difficulties, certainly not of his own creation, in the midst of which he suddenly found himself, and against which he has had to struggle. And here, my Lord, I cannot refrain from loudly repelling all the accusations and numerous calumnies which in England have been levelled at the king from the

very commencement of his reign, and which even public functionaries have not shrunk from complacently echoing, by adding to the recitals of the press the authority of their names.

"If there were faults in the internal administration of the kingdom, and abuses to be regretted in the action of the police, it yet was not just to trace the responsibility of them back to the king, who, unhappily, has himself been the victim of his confidence in those traitors or villains who surrounded him, and who, being won over to the cause of Sardinia, were interested in concealing from him the truth. And besides, the re-establishment of the constitution; a liberal Government which public opinion had pointed out to the king; and the offer even of an alliance with Piedmont, which the unbounded ambition of that State, and her well-defined projects of aggrandizement, led her to reject upon a thousand pretexts—were not these sufficient guarantees for the future?

"Have the populations of the Two Sicilies true cause to congratulate themselves upon the new order of things, to which it is sought to subject them by force, in opposition to their traditions and their interests? Has not the whole kingdom been occupied by troops? Are not numbers of subjects faithful to their king summarily shot, under the pretence that they are brigands? Are not those individuals who in any way declare against annexation, or in favour of their legitimate sovereign, quickly imprisoned by hundreds? And domiciliary visits, and the law regarding suspected persons, against which there was so great an outcry under the Government of the king, are not these more than ever the order of the day? And all this, my Lord, in the name of liberty, and of Italy one and regenerated!

"It is not the king's subjects, it is not the discontent which his Government may have excited among them, but it is the united and audacious efforts of revolutionary characters from all countries; the disloyal intrigues of Piedmont; and, lastly, the unprecedented aggression of her army, without grounds or declaration of war, accomplished by the most flagrant violation of this same alleged principle of non-intervention, which have brought on this grievous catastrophe?

"Whatever may be the result, if the political passions of our day prevent a calm and just judgment upon the events which have just taken place in the South of Italy, the decision of history will not be the less severe and impartial as to the disloyal means which have been boldly employed to arrive at it, and as to the morality of its principal promoters.

"Before concluding, I feel it to be my duty, my Lord, to express to you my lively sense of the flattering expressions towards myself contained in your letter, and for all the kindness which you have shown to me in the official relations which I have had the honour of maintaining with your Excellency.—I take, &c.,

(Signed)

C. FORTUNATO."

Lord John Russell, however, answered the Chevalier that the same reasons which caused him to make that communication precluded him from replying to his letter of the 22nd; but he requested the Chevalier to be assured that his abstaining from doing so did not result from want of personal consideration for himself, but was the necessary consequence of the cessation of the political relations which he had the satisfaction of maintaining with the Chevalier.

On the 21st January, 1861, Lord John Russell wrote to Sir J. Hudson

“that he did not take any official notice of the decrees annexing, not to Sardinia, but to ‘the Italian State,’ Naples, Sicily, Umbria, and the Marches, because the votes by universal suffrage which have taken place in those kingdoms and provinces appeared to her Majesty’s Government to have little validity. These votes were nothing more than a formality following upon acts of popular insurrection, or successful invasion, or upon treaties, and did not in themselves imply any independent exercise of the will of the nation in whose name they are given. Should, however, the deliberate act of the representatives of the several Italian States, who were to meet on the 18th of February, constitute those States into one State, on the form of a constitutional monarchy, a new question would arise. When the formation of this State shall be announced to her Majesty, it was to be hoped that the Government of the King would be ready to show that the new monarchy has been erected in pursuance of the deliberate wishes of the people of Italy; and that it has all the attributes of a Government prepared to maintain order within, and the relations of peace and amity without. The obligations of the various States of Europe towards each other; the validity of the treaties which fix the territorial circumscription of each State; and the duty of acting in a friendly manner towards all its neighbours with whom it is not at war. These are the general ties which bind the nations of Europe together, and which prevent the suspicion, distrust, and discord that might otherwise deprive peace of all that makes it happy and secure.”

On the 19th March, the Marquis d’Azeglio communicated to Lord John Russell a despatch of Count Cavour in answer to Lord John Russell’s despatch, as above, with the result of the deliberations of the Italian Parliament on the question of Italian unity. Count Cavour said:—

“The Parliament which has just assembled contains the principal men of the nation. The King has called to the Senate those personages who, by their science, birth, and wealth, reckon among the great illustrations of the country. The people, availing themselves of their rights with the most absolute liberty, have sent to the Chamber of Deputies the most well-known notabilities of all the Italian provinces. On meeting, the Parliament hastened to give, by numerous resolutions, the most formal sanction to the votes of the people. The reception given to the King at the opening of the session, the replies of the two Chambers to the speech from the throne, the constitution of the bureau of the presidency, and, lastly, the unanimous vote on the bill relative to the new title which the King was to bear, could not allow the slightest doubt to remain on this subject. Universal suffrage has, with us, been followed by a striking counter-proof. If the abstract and theoretic value of this mode of manifesting the national sovereignty is open to discussion, it must be agreed that, as regards Italy, it has been the sincere, free, and spontaneous expression of a sentiment which predominates over all others, and which has acquired an irresistible force.

“I moreover hasten to state that Lord John Russell has himself admitted and proclaimed the fact which I have just mentioned, in a manner as sympathetic and kind for Italy as honourable for the King’s Government. It consequently only remains for me, as regards the first part of his lordship’s despatch, to charge you to express our gratitude for the energetic and brilliant manner in which, during a recent discussion, he established facts, and vindicated the King and our country from the insults lavished on them by the violent adversaries of the great principles of civil and religious

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liberty, the triumph of which in Italy is now secured. The eminently national character of the Government just founded being thus proved, I must, in order to fully reply to the questions raised by the despatch of the 20th of January, examine whether this Government possesses the moral and material force necessary to fulfil its duties both at home and in its relations with the other Powers. That the Government is firmly established, and that it possesses all the means necessary for governing, is a fact which cannot be disputed. In the new provinces of Upper and Middle Italy the Administration proceeds with almost the same regularity, and meets with as few obstacles, as in the parts which for centuries past have formed a portion of the kingdom of Sardinia. No symptom of illegal opposition has manifested itself either in Lombardy (a country represented as being so difficult to govern), or in the Romagna, where hatred to priestly rule had excited such violent passions; or in the Duchies, where it might have been feared that the loss of the advantages which the existence of petty courts procures to the localities in which they reside might have been a cause of discontent. Tuscany, where it was supposed that the former régime, less violent and less corrupt than elsewhere, would leave lasting traces and deep regrets, has been and still is a great element of strength for the Government and of order for the country. Nowhere, in fact, has the political fusion raised less difficulties. To prove this, it is only necessary to recall a fact of which the enemies of the Italian cause in the English Parliament are probably ignorant. It is, that for the last eight months there has not been a battalion of regular troops in that country; and that, nevertheless, it has been found possible to suppress the special systems of administration which had been left there, without giving rise to any hostile manifestation.

"There exist, it is true, very serious administrative difficulties in Southern Italy. No astonishment can, however, be felt at this, when it is borne in mind that the government of the Bourbons, which had lasted for more than a century, and which itself succeeded the well-known government of the Spanish viceroys, had erected corruption into a system, and had applied itself to undermine in all the branches of the administration the principles of morality, good faith, and patriotism, without which the best laws and the most perfect institutions can only be attended with disastrous results. The influence of liberty and the powerful and salutary action of the Parliament will soon apply an effectual remedy to this state of things. In the meantime, if some embarrassment may be caused to the Government, it is not a source of weakness for it; for nowhere have those administrative difficulties served as a pretext or a mask for real opposition, either dynastic or illegal. Therefore I do not think I am deceiving myself when I state that the Government has at its disposal means amply sufficient for securing order at home and for regulating its relations with foreign Powers, according to the duties imposed on it by treaties and by the principles of the law of nations."

As to the relations of Italy with Austria, Count Cavour said:—

"The King's Government, the faithful interpreter of the sentiments which animate the whole country, does not conceal its profound sympathy for the populations which the treaty of Campo-Formio transferred to Austrian rule. It is well aware that, so long as those provinces shall remain separate from the rest of Italy, calm will not be completely restored to the public mind. The nation, moved by the sad spectacle of the sufferings

of the Venetians, will constantly think of their deliverance. The Government well knows that so long as afflicted Venice shall stretch out her arms to the other capitals of Italy, it will be impossible to re-establish with Austria such friendly relations as are calculated to guarantee a sincere and durable peace. But the King's Government knows, at the same time, that there are considerations of a superior order which do not allow it to follow the impulse of the sentiments which animate all Italians. It knows that its duty to Italy is to guard the interests confided to it, and that the respect and gratitude it owes to the Powers which have aided Italy to escape from the state of oppression under which she had suffered for centuries, imposed duties which it will strive to accomplish, however painful the task may be. In the present state of Europe the Venetian question cannot be arranged separately: any attempt to settle it by force would give rise to a conflagration which would extend its ravages afar, and the responsibility of which Europe would throw on that Government which, without provocation, should send its soldiers across the frontier. Convinced of this truth, the King's Government has decided to spare no efforts to prevent any act which, directly or indirectly, might bring on an European war. It will wait till events, in developing themselves, shall have made all the statesmen of Europe, whether adversaries or partisans of Austria, share in the conviction already entertained by all those who are intimately acquainted with the Venetian question, that the position of that province is a cause of weakness for Austria, at the same time that it is a source of trouble for Italy and Europe. Six months ago, in laying before Parliament on a solemn occasion the policy of the Government, I indicated, almost in the same terms I now use, what would be our conduct towards Austria. I then declared, and I now repeat, that the Italians may await in full confidence the verdict of public opinion in the great cause now pending between them and Austria. Let me be allowed to add now, that what might have appeared doubtful then, becomes every day more evident; and that the changes which have recently taken place whether in Austria or in Italy, only demonstrate more and more clearly the necessity of a peaceful solution of the Venetian question. A few words, M. le Marquis, will suffice fully to explain my thoughts on this point. The Cabinet of Vienna, I am happy to acknowledge, has suddenly entered on a decidedly liberal course. Unhesitatingly relinquishing the principles it had adopted after the events of 1848 and 1849, it has endowed all the provinces of the empire with institutions which I do not presume to judge, but which appear to be based on the ideas held by the most advanced nations of Europe. Venetia alone is excluded from the new imperial policy. In all other provinces of the empire popular assemblies are instituted, diets are convoked, liberty is organized; Venice alone is an exception. Venetia serves only as a camp for soldiers. No other system is there possible than that of a state of siege. Is not, I ask the noble British nation, such a contrast calculated to convince the incredulous that Austria, whatever efforts she may make, whatever modifications she may effect in her internal system, cannot change her position in Venetia? And is not this fact sufficient to cause public opinion in Europe to demand a pacific solution of the Venetian question?

"On the other hand, in consequence of the reservation which King Victor Emanuel made in the preliminaries of Villafranca, and which were carefully maintained in the negotiations of Zurich, and also in consequence of the national movements that have taken place, of which there are few

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examples in history, Central Italy first of all, and more recently Southern Italy, have formed, with Lombardy and the former States of his Majesty, a new kingdom of Italy. England, faithful to her liberal traditions, has recognized the fact of these annexations, while openly testifying her sympathies for a movement accomplished with so much order, regularity, and moderation. Most of the other Powers have reserved their adhesion, and, without recognizing the new state of things, have abstained from taking a hostile attitude to the King's Government. Austria alone has protested in a formal manner against the union of Central Italy to the States of the king, and has reserved her rights to those countries, and also the rights of the princes who have made common cause with her; although, in a most confidential form, she has made known that she reserves the right of asserting her pretensions whenever she may consider it suitable to her interests.

"It results from this, that the position which the treaty of Zurich established between the King's Government and Austria has been sensibly modified, and that we are now in presence of a Power which not only refuses to recognize us, but reserves to itself to bring forward pretensions which would result in plunging Italy anew into the state of servitude in which she so long groaned. These reservations and protests have not been confined to simple words, but have been accompanied by significant acts. It will suffice to call to mind that the Austrian Government has constantly maintained on our frontier troops which had followed the Duke of Modena. These troops have retained their flag and their cockade, are still organised as in time of war, and are always ready to invade the former territory of their master. I hasten to add, that I am aware that the Cabinet of Vienna has declared on several occasions that it had no intention of attacking us, provided we respected its frontiers. I am far from placing in doubt the value of that declaration, and, consequently, from regarding our country as in a state of war with Austria; however, it is impossible to conceal from ourselves that the very nature of things, and the events which have taken place since the signing of the treaty of Zurich, render our position with regard to that Power abnormal, difficult, and dangerous. Lord John Russell is too honest and too friendly to Italy not to admit this, or to cast on us exclusively the responsibility of this state of things. I hope, besides, that the explanations I have given will completely reassure him as to our intentions; for they appear to me to leave no doubt either as to the extent of the means at the disposal of the King's Government, or as to our firm resolution to conform our conduct to what is required by the great interests of Europe, and to listen to the counsels of moderation and prudence which come to us from Powers which, like England, have given us many proofs of sympathy and interest.

"Be pleased to read this despatch to the Secretary of State for Foreign Affairs, and to leave him a copy of it. I am, &c.,

"(Signed) C. CAVOUR."

## CENTRAL AMERICA.

*Correspondence respecting Central America.*

On the 27th August, 1856, a memorandum was signed by the Earl of Clarendon and Mr. Dallas, appending an agreement upon the draft of a treaty between Great Britain and the United States relative to Central America. This draft proposed to set apart a territory for the Mosquito Indians, within which they should enjoy the right to make their own laws, and the rest of the territory to be within the sovereignty of the Republic of Nicaragua. Such republic to enter into a treaty stipulation to declare Greytown or San Juan a free city, subject to the condition that the municipality of the city shall pay a yearly indemnity to the Mosquito Indians. It was also agreed and understood—1st, that the British settlement called the Belize, or British Honduras, on the shores of the Bay of Honduras, was not embraced in the treaty entered into between the contracting parties on the 19th April, 1850, and that the limits of the same shall be fixed by treaty within two years; and 2nd, that the islands, and their inhabitants, of Roatan, Bonaca, Utiba, Burburete, Elena, and Morat, in the Bay of Honduras, and known as the Bay Islands, shall be recognized as a part of the Republic of Honduras.

On the 13th October, 1856, Mr. Dallas communicated to the Earl of Clarendon extract of despatch respecting the above draft articles of treaty, to the effect that the President of the United States esteemed the reservation of about 14,000 square miles, or more than 5,500,000 acres, more than was requisite for 2,000 or, at most, 3,000 Indians, and that it was not fair to propose the same to the Republic of Nicaragua.

On the 16th February, 1857, the Earl of Clarendon communicated to Lord Napier a copy of a treaty of friendship and commerce concluded between her Majesty and the Republic of Honduras, and signed at London on the 27th August, 1856, and of two conventions, one relating to the Mosquito Indians and one to the Bay Islands. This treaty with Honduras contained, besides the usual clauses, additional articles, by which Honduras agreed that the right of way or transit over such route or road, or any other that might be constructed through its territory, from sea to sea, shall be at all times open and free to the Government and subjects of Great Britain for all lawful purposes whatever. That no tolls, duties, or charges shall be imposed, and that any other privilege or advantage which Honduras might grant respecting the same to any other country shall be also extended to British subjects. The British Government to recognize the rights of sovereignty and property of Honduras on the line of road, and to guarantee the entire neutrality of the same. The convention with Honduras relative to the Mosquito Indians provided that the Republic of Honduras shall not disturb the subjects of her Majesty in the enjoyment of any property they may have in the islands of Ruatan, Bonaca, Elena, Utile, Burburete, and Morat, situated in the Bay of Honduras. And that Britain shall recognize the mid-channel of the River Wanx, or Segovia, as the boundary between the Republic of Honduras and the territory of the Mosquito Indians. That Great Britain will recommend the Mosquito Indians to renounce their rights over the territories lying between the River Wanx, or Segovia, and the Roman River for a compensation. That the interests of British subjects on the same territories shall be respected. And that all British



claims on the Government of Honduras shall be submitted to commissioners to be appointed for the purpose. The other convention, relative to the Bay Islands, declared that the Bay Islands shall be constituted under the sovereignty of Honduras.

On the 18th February, 1857, the Earl of Clarendon sent to Lord Napier a copy of a treaty concluded between her Majesty and the United States of America respecting Central America, signed on the 17th October, 1856; the treaty being, with some slight modifications, the same as the draft treaty concluded in August, 1856. On the 29th March, 1857, the Earl of Clarendon received a despatch from Lord Napier, giving particulars of an interview he had had with General Cass, relative to the treaty signed in London for the settlement of the Central American question, to the effect that the United States desired an absolute and entire neutrality and independence of the Central American region, free from the exercise of any exclusive influence or ascendancy whatever. On the 7th August, the Earl of Clarendon learned from Lord Napier that the treaty received the ratification of the President of the United States, subject to the alterations proposed in the Senate, and the treaty thus amended was communicated by Mr. Dallas to the Earl of Clarendon on the 8th April. On the 17th, the Earl of Clarendon wrote to Lord Napier that her Majesty's Government objected to the modifications made by the Senate of the United States, especially in the form in which they were expressed; and he sent another draft of treaty to be proposed to the American Government, granting to Lord Napier full power, and constituting him her Majesty's plenipotentiary, as well for the negotiation on the Central American question, as for any other negotiations with the United States Government.

On the 18th May, the Earl of Clarendon learnt from Mr. Wyke, of Guatemala, dated March 27, that the Legislative Assembly of Honduras had not ratified the conventions, but sent them back with the following modifications:—1st. That Ruatan alone shall be declared a free territory, under the sovereignty of Honduras, the other Bay Islands being unconditionally given up to that republic, and that, in return for the neutrality and freedom of Ruatan, her Majesty's Government should guarantee the possession of that island to Honduras. 2nd. That a special minister shall be appointed to treat as to the lands to be reserved to the Mosquito Islands, the indemnity to be paid to their king, and the rights and claims of British subjects in that part of the country.

On the 25th May, the Earl of Clarendon received despatches from Lord Napier, announcing that the President had expressed an opinion, that he could not assent to a stipulation which would involve the recognition by his Government of a treaty between Great Britain and Honduras relative to the Bay Islands, and if he did accept such a stipulation it would infallibly be rejected by the Senate. And on the 22nd June, the Earl of Clarendon received from Lord Napier a formal note of General Cass, stating that the President could not accept the project of the treaty presented for his consideration. Lord Napier further communicated as probable, that if the pending discussions regarding Central America be not closed during the present summer, an attempt would be made in the next session of Congress to set aside the Clayton-Bulwer treaty.

On the 9th July, the Earl of Clarendon wrote to Lord Napier, that with regard to the interoceanic route, her Majesty's Government were anxious to see the communication in the hands of a company formed on the broad

basis of the union of capital furnished by the two countries. If such an association should be formed and countenanced by persons of respectability in London, and if it should be able to obtain from Nicaragua and Costa Rica a new contract, embodying proper stipulations for the safety and neutrality of the route, such a company might rely upon the protection and encouragement of her Majesty's Government.

On the 30th October, the Earl of Clarendon gave instructions to Sir W. G. Ouseley, appointing him special commissioner to proceed to Central America. And on the same date the Earl of Clarendon learned from Lord Napier, that the American Government had decided upon recognizing the Republic of Nicaragua; that the Government of Nicaragua have recognized the existence of the old "American, Atlantic, and Pacific Ship-Canal Company." And that, as the Government of the United States had emphatically stated that they would not recognize any jurisdiction on the part of Costa Rica over the river or lake, he had laid his views on the subject in a note to the General Cass. He asked, also, the General to take means to prevent any aggression in New Granada or Costa Rica by lawless individuals. In answer to this note General Cass stated that the Government of the United States has never admitted the pretensions of Costa Rica to an equal control with Nicaragua of the San Juan River, but regarded the sovereignty of that river, and consequently of the interoceanic transit by that route, as rightfully belonging to the Republic of Nicaragua.

On the 30th November, the Earl of Clarendon received from Lord Napier a communication that General Walker had been arrested at New Orleans on a charge of violating the neutrality laws of the United States. He had embarked with 300 unarmed followers from New Orleans to Mobile, in a steamer called the *Hicks*, and were by it transferred to the *Fashion*, a river vessel of greater capacity, and the United States Government gave orders to pursue and arrest the expedition.

Considerable correspondence meanwhile took place as to the abrogation of the Clayton-Bulwer treaty, and, on the 5th April, the Earl of Malmesbury received a despatch from Lord Napier, setting forth the state of the Central American questions. Her Majesty's Government offered to the American Government to refer all the controverted points in the treaty of 1850 to the free arbitration of any European Power; or, if more agreeable to the United States, they proposed to adjust the matter under discussion by negotiation with the Isthmus Republics, to which, through the medium of Sir William Ouseley's mission, they were prepared to make such concessions as would carry the treaty of 1850 into operation in the most important particulars, according to the construction placed upon that instrument by the Cabinet of Washington. These modes of settlement involved the maintenance of the Clayton-Bulwer treaty in its essential principles, viz., the neutrality of the Central American region, the exclusion of the contracting parties from territorial acquisition in a country which, from its configuration and position, possesses a common and momentous interest to the maritime Powers. As the American Government seemed bent upon the repeal of that treaty, Lord Napier proposed that another treaty might be framed, comprising three articles: the first declaring the desire of the contracting parties to encourage and protect the organization of the transit routes in the interoceanic region, and bind those parties never to negotiate for any rights or privilege of transit of a preferential nature. The second article would recognize the jurisdiction of the transit route by the San

Juan River as being vested in the Government of Nicaragua. And the third would declare the Clayton-Bulwer treaty to be void and of no effect.

On the 25th April, the Earl of Malmesbury learned from Lord Napier that the American Government had definitively rejected the expedient of arbitration in the adjustment of the Central American difficulties; that they would decline the simple abrogation by mutual consent of the Clayton-Bulwer treaty, leaving the contracting parties on their previous footing in reference to territory and jurisdiction; and, third, that they were favourably disposed to an arrangements through the channel of Sir William Ouseley's mission, supposing that arrangement be made on a basis conformable, or very nearly conformable, to the American construction of the Clayton-Bulwer treaty.

On the 31st May, the Earl of Malmesbury received a communication from Consul Green, of Greytown, that Colonel Kenney and his associates had attempted to overthrow the local Government and to substitute the Nicaraguan for the Mosquito flag, but that their designs had been frustrated by the active and decided measures of the local authorities and aided by the inhabitants generally. In consequence of this communication the Foreign Secretary directed the Lords of the Admiralty to cause a ship of war of considerable force to visit continually Greytown, so as to deter such persons as Colonel Kenney and others from attempting to usurp the authority of the place.

On the 9th August, 1858, the Earl of Malmesbury instructed Sir W. G. Ouseley to proceed at once to Central America, and to submit to the President of the Republic of Nicaragua the draft of a treaty. Her Majesty's Government desired to see a territory secured for the Mosquito Indians, and to have their freedom of internal government effectually provided for, and guarded from foreign influence, leaving the question of ultimate incorporation with the Republic of Nicaragua as a matter for voluntary arrangement between the two parties hereafter; and they could not consent to any change in the arrangements of the draft which should imperil these main objects of the proposed treaty.

On the 10th the Secretary to the Admiralty communicated to the Foreign Minister extracts of a letter, dated 26th July, from the Admiral Sir Houston Stewart, relative to the state of affairs at Greytown. These documents included a decree issued by the two Republics of Nicaragua and Costa Rica to the effect that, considering the imminent peril of invasion of American filibusters, they requested the assistance of all the European vessels of war, and placed the two Republics of Costa Rica and Nicaragua under the guarantee of European law and of the special enactments against pirates and buccaneers. On the receipt of this communication, the Earl of Malmesbury desired the commissioners of the Admiralty to give the following orders to Sir H. Stewart:—1. That a powerful ship of war should be sent to Greytown, to remain there as much as possible during the pending negotiations. 2. That her commanding officer should be informed that Greytown and the Mosquito coast were under the protection of Great Britain; and that he was to prevent by force, if necessary, any descent upon them by filibusters of any country whatever. That as against filibusters attempting to go up the River San Juan, he was not to act independently, nor unless required to do so by a document signed by the proper authorities of the Nicaraguan and Costa Rican Governments, and then not alone, but solely in conjunction with the forces of those States. These forces were to be

permitted to enter Greytown, if necessary, for its defence, or for carrying on operations, but on the condition that they should evacuate it when the British commander considered their presence no longer expedient. These orders applied to filibusters only. With respect to any threatened outrage on the part of an United States ship of war on Greytown or Mosquito, similar to that by the *Cyane*, the officer would confine himself to a written protest against it in the name of her Majesty's Government, and to the protection of British subjects from its effects. Whatever might be the result, he would immediately represent the case to the British Minister at Washington, and to her Majesty's Government.

On the 11th October, the Foreign Secretary informed the commissioners of the Admiralty that reports were received that another expedition of filibusters was preparing to proceed from the United States to Central America, and that orders should be given to the commander of her Majesty's ships to defend, at all events Greytown and the Mosquito coast from any descent whatever of brigands; and that, upon the written demands of the Nicaraguan and Costa Rican Governments, her Majesty's naval forces should repel by force of arms the filibusters out of their coasts, giving notice in the first instance to the said filibusters of the intention of her Majesty's naval commander to do so.

On the 22nd November, the Earl of Malmesbury received from Lord Napier copy of a proclamation issued by the President of the United States against the parties who were meditating a piratical enterprise in Central America under the disguise of peaceful emigration; and on the same date he received from Lord Napier another despatch, stating that General Cass had emphatically declared against the contemplated interference of her Majesty's forces in Central America against the incursions of filibusters, on two grounds; first, because it would be, in the deliberate opinion of his Government, an infraction of the treaty of 1850; and, secondly, because that interference, if it occurred, would tend to inflame the spirit of unlawful aggression in America, and might lead to serious embarrassment in the relations of the two countries.

In answer to this communication, the Earl of Malmesbury wrote to Lord Napier on 26th November as follows:—"Her Majesty's Government could not but consider this objection unsound, as it was in every respect also singularly ill-timed, at a moment when the Government of the United States was insisting with the Government of Nicaragua upon the privilege of occupying with American troops, even without the consent of Nicaragua, the whole or any portion of the transit route to be established through its territory. To such occupation there might be no limit in point of time, for the very circumstance would tend to unsettle all the countries of Central America; while even a temporary occupation for purposes specified would involve the assumption and exercise of dominion, against which the provisions of the treaty are pointedly directed. Notwithstanding this general view of the case, her Majesty's Government were not prepared to maintain that circumstances might not occur in which it would be desirable that the transit line should have the protection of foreign troops on the neutral territory. It is, therefore, not with the object of arguing against such eventualities, but to show the anomalous language held by the United States Government, that I make these observations. But the possible occupation—if, indeed, it can be so called—which, in a certain contingency, might be made by her Majesty's forces of a portion of the coast of Nicaragua,

would be of a very different character. It would take effect only at the request of the Government of Nicaragua, would be carried out in conjunction with the forces of that Republic, would involve no assumption or exercise of dominion, and would be strictly limited in point of duration.

“ Her Majesty’s Government cannot, however, suppose that the Government of the United States will seriously contend that assistance temporarily rendered to one of the Republics of Central America, at the request of that Republic, and determinable at its pleasure, to enable it to repel the inroads of lawless men, seeking, as they have done before, to spread devastation throughout the country, amounts to an occupation of territory such as it was the object of the treaty of 1850 to prevent. Still less can the United States, in the opinion of her Majesty’s Government, assume, with any show of reason, that her Majesty’s Government have not a right to take effectual measures to prevent an important negotiation in which they are about to enter with an independent State, and the free action, and even the personal safety, of the British envoy, from being imperilled by the descent on the shores of Nicaragua of the hostile bands which, there is too much reason to suppose, are now in course of organization. Her Majesty’s Government are firmly resolved to defeat any such attacks by every means at their disposal. They do not require the assent of Nicaragua to authorize them to defend Greytown or its dependency, Punta Arenas. Pending the result of the negotiations with Nicaragua, those two places will continue, as they have been for many years past, under the immediate protectorate of Great Britain, as forming part of the Mosquito territory. By holding these points, and with a powerful naval force in the immediate neighbourhood, her Majesty’s Government feel persuaded that the evil-minded men whose designs have been justly and so energetically denounced by the President of the United States would hesitate before they undertake a hopeless adventure. If, unfortunately, they should attempt to do so, the consequences will be on their own heads; and her Majesty’s Government do not doubt that in such a contingency the naval forces of the United States will carry out the intentions of the President, and zealously co-operate with those of her Majesty to repel the marauders from the points through which they might gain access to the territory of Nicaragua. Her Majesty’s Government have, indeed, little reason to suppose that occasion will arise for her Majesty’s forces to land for the protection of the Mosquitian or Nicaraguan territory, and they have no hesitation in saying that they anxiously desire that that necessity should not occur. The most effectual means of obviating it rest with the Government of the United States themselves, for it is only from that quarter, directly or indirectly, that attacks are likely to be made on Nicaragua, and her Majesty’s Government do not doubt that those attacks can be averted or repelled by the strenuous and vigilant co-operation of the authorities of the United States with the naval forces of her Majesty.”

On the 27th December, the Earl of Malmesbury received a communication from Lord Napier, that notwithstanding the salutary proclamation of the President, the filibusters had gone to sea from Mobile in a vessel without lawful papers, baffling the vigilance and resisting the intervention of the United States custom-house authorities.

On the 2nd February, 1859, the Earl of Malmesbury received from Sir W. G. Ouseley an account of his arrival and of his presenting his

credentials to the Nicaraguan Minister at a public audience at Leon, when he delivered the following speech :—

“ The Queen my august Sovereign has been graciously pleased to entrust to me the gratifying task of cementing the good understanding, and evincing the feelings of friendly interest, that have ever animated Great Britain towards the State over which your Excellency so ably presides, by concluding a treaty calculated to produce the best effects. It would have been to me, at any time, a pleasing duty to contribute to such an object; but my efforts will be the more gladly employed at a moment when the interests of humanity and policy call for decided action on the part of civilized and commercial nations, to defend this and neighbouring republics from the piratical attacks of lawless men, the effects of whose ruthless barbarism it is lamentable to witness. The acts of those misguided adventurers have excited just indignation in the breasts of enlightened rulers of the most powerful maritime nations on both sides of the Atlantic, who have resolved that such enormities shall no longer be tolerated. All civilized nations have an interest in keeping uninterrupted the free passage so liberally granted by Nicaragua and the neighbouring States across the territories which Providence has placed under their independent and lawful sovereignty. It is for the advantage of all that this independence should be maintained, and that Nicaragua should become one of the great links between the two hemispheres. But no nation has a more direct interest in the security and neutrality of the transit than Great Britain. The Queen’s dominions on the Atlantic bring her Majesty’s subjects in closer contact with Central America than the inhabitants of any other maritime country; while her Majesty’s valuable possessions in the Pacific, and the vast British interests in Asia, make it a duty, if not a necessity, for her Majesty’s Government to secure undisturbed passage across these territories. The ready participation of Nicaragua in this great object will call for the efficient protection of these routes, and, indeed, will merit the co-operation of all commercial nations in their defence from such outrages as those which have hitherto rendered unavailable these much desired lines of transit. I esteem myself fortunate in finding among the members of the present administration of this country, so many men of distinguished merit, and especially in having to treat with a Government at the head of which is your Excellency.”

And to this address the President of Nicaragua made the following reply :—

“ Though the kind feelings of the august Sovereign of Great Britain and Ireland are well known and acknowledged by the people of Nicaragua, I congratulate myself on hearing them from her worthy representative; and at the same time I am very happy to express to your Excellency the assurance of their reciprocity on the part of this Republic towards the Queen and towards the nation she so wisely rules. I highly appreciate the noble feelings by which your Excellency is animated on discharging your honourable mission, as well because they evince the principles of strict morality in which your heart is abundant, on lamenting the cruelties of foreign vandalism in Nicaragua, as on account of the policy humanitarian and of social communion, which in your interesting allocution is expressed. England no doubt is abundant in eminent men, but the appointment which from among them her august Sovereign has made in the person of Sir Gore Ouseley witnesses her happy election. The precedents of your Excellency,

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your social connections in the Republic of the United States, your relations of friendship with President Buchanan, and the sympathy that the reports of your appointment produced in the Presidents and States of Central America, and especially in the men near the actual administration of Nicaragua, all promised a result satisfactory to both countries and to all the commercial nations of the world."

The Secretary of State for the Foreign Relations of Costa Rica sent also the following letter, welcoming him on the part of the President of that State to Central America:—

*"National Palace, San José, December 16, 1858.*

"The undersigned has great satisfaction in complying with the orders of his Excellency the President in offering his salutations to your Excellency, and in congratulating you on your arrival on the coasts of Central America. The intentions of her Britannic Majesty's Government in favour of the interests of the Central American States, and especially of Costa Rica and Nicaragua, inspire, and must inspire, in their authorities the sentiments which are naturally awakened by the just, generous, and beneficent dispositions of Great Britain, and from which must result the tranquillity and welfare of those countries. The undersigned, therefore, offers to your Excellency his sincere congratulations on your having been appointed the agent to carry out such interesting measures, as the worthy representative of her Britannic Majesty's wishes; and he trusts that on your visiting, as it is to be supposed you will visit, this little country, you will not fail to meet with such a favourable disposition on the part of its Government and of its people as will afford at any rate a slight compensation for the very sensible privations which a European sojourning with us must naturally suffer.

"Trusting that before long Costa Rica will have the honour of receiving the worthy representative of England, the undersigned, &c.

"(Signed) NARAKIO TOLEDO."

On the 20th March the Earl of Malmesbury received from Sir W. C. Ouseley the treaty of friendship, commerce, and navigation, concluded between her Majesty and the Supreme Government of Nicaragua, signed by the Nicaraguan Minister and himself on the 18th January, containing some modifications upon the draft treaty prepared by her Majesty's Government. Some objections were afterwards made to the treaty by the Nicaraguan Congress, but they were overcome. Sir W. E. Ouseley meanwhile having suffered in health from the climate of Nicaragua, was desired to leave Central America, and Mr. Wyke was clothed with full authority to conclude the treaty with Guatemala, defining the limits between that State and the settlement of Belize. The instructions were sent by Lord John Russell on the 15th August, 1859, as follows:—

"The questions which her Majesty's Government are desirous that you should arrange with the Government of the Republic of Honduras are:—The transfer to the Republic of the sovereignty of the Bay Islands, and of so much of the Mosquito territory as lies within the Honduras frontier, coupled with some reasonable arrangements in favour of the inhabitants of the Bay Islands and of the Mosquito Indians, and also with an arrangement for the investigation by means of a mixed commission of the claims of British subjects, arising out of land grants or other causes.

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"In August, 1856, two conventions, for the arrangement of all these matters, were signed by the Earl of Clarendon and Senor Herran, the Honduras Minister at this Court. These conventions, however, were not ratified by the Honduras legislature; and, on full consideration, her Majesty's Government are disposed to think that the details of the arrangements laid down in them would admit of much simplification, without injury to their substance. Under this view a fresh draft of treaty has been prepared, combining in one so much of the provisions of both the conventions of 1856 as it seems indispensable to retain. I transmit to you copies of the conventions of 1856, and of the new draft. On comparing these documents you will perceive that nothing is now left to which the Honduras Government can take any reasonable exception. In regard to the Bay Islands, those stipulations of the convention of 1856 have been suppressed, which provided for the erection of those islands into a free territory, and for the government of such territory by its own municipal authorities. The transfer of the sovereignty of the islands to Honduras is, in fact, made immediate and complete, with merely a provision that the inhabitants shall not be disturbed in the enjoyment of their property; that that they shall retain freedom of conscience and of religious worship, and shall be at liberty to remove elsewhere with their property if they should think fit so to do.

"In regard to the Mosquito territory, the engagements contained in Article II. of the convention of 1856 are reduced in the new draft to a simple recognition of the title of Honduras to such part of that territory as may be within her frontier, coupled with a provision that the Indians residing therein may either withdraw with their property or remain under the protection of the Republic as citizens thereof.

"The arrangements of the convention of 1856, respecting the investigation of British claims, arising out of land grants or otherwise, are retained; and to this her Majesty's Government cannot anticipate any valid objection, seeing that it is essential to the preservation of those friendly relations which they desire to maintain with the Republic, that a decision should be come to respecting matters which are a cause of continual discussions between the two Governments. Her Majesty's Government propose that the place of meeting of the mixed commission for the investigation of claims shall be Belize, instead of Truxillo, as fixed by the convention of 1856. They have been informed that Truxillo would be extremely inconvenient to the claimants, and to the Honduras Government the change can be of little importance.

"I have to instruct you to propose to the Honduras Government the treaty of which I transmit to you the draft. You will bring to bear upon them every consideration which your knowledge of the subject, and of the people with whom you have to deal, may suggest to you, and you will impress upon the Government that every reasonable objection having been considered by her Majesty's Government, with a view to satisfy Honduras, any hesitation on their part to accept the proposals now offered to them will infallibly deprive them of all shadow of claim to the friendship and good offices of Great Britain, under any circumstances whatever.

"I conceive that a stay of two or three weeks in Honduras will be sufficient to carry out the objects of your mission, if you are met in a proper spirit by the Government. If you succeed in getting the treaty signed, her Majesty's Government are of opinion that the Honduras



Government should immediately take the necessary steps for obtaining the sanction of their legislature for its ratification. They should, if the legislature be not in session, convoke it specially for this important object, and use every exertion to pass the confirmation of the treaty speedily through the chamber, so that the decision may be given before your departure."

On the 9th January, 1860, Lord John Russell received a despatch from Mr. Wyke, dated 29th November, announcing the conclusion of the treaty with Guatemala respecting the Mosquito Islands; and on the 26th, Lord John Russell conveyed to him the entire approval of her Majesty's Government of his proceedings. The treaty was ratified on the 18th April, 1860.\* On the 6th March, Lord John Russell received from Mr. Wyke copy of a treaty he signed with the Minister of the Republic of Nicaragua upon the territory to be assigned to the Mosquito Indians. And on the 24th July, 1860, Lord John Russell received a communication from M. de Marcoleta, informing him that he was instructed to proceed to the exchange of ratifications of the treaties concluded between her Britannic Majesty and the Republic of Nicaragua respecting the Mosquito coast and territory, commerce and navigation, and postal convention: the first and second concluded with Mr. Wyke, and the third with Sir Gore Ouseley. On the 25th July, Lord John Russell wrote to the Commissioners of the Admiralty that her Majesty's Government, having received reports of an intended descent of filibusters upon the Bay Islands, it was necessary to continue in force the instruction to her Majesty's ship of war to protect the Central American coasts, including the Bay Islands. And again, on the 31st July, Lord Wodehouse instructed the Secretary of Admiralty that information had arrived that Walker and a party of Americans had arrived at the Bay Islands, and that it was urgent to give orders by the mail of the 2nd of August to the admiral on the West India station to despatch one of her Majesty's ships without delay on this service.

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#### NICARAGUA.

*Treaty between her Majesty and the Republic of Nicaragua, relative to the Mosquito Indians, and to the Rights and Claims of British Subjects. Signed at Managua, 28th January, 1860. Ratifications exchanged at London, 2nd August, 1860.*

ART. I.—On exchanging the ratifications of the present treaty, her Britannic Majesty, subject to the conditions and engagements specified therein, and without prejudice to any question of boundary between the Republics of Nicaragua and Honduras, will recognize as belonging to and under the sovereignty of the Republic of Nicaragua, the country hitherto occupied or claimed by the Mosquito Indians within the frontier of that Republic, whatever that frontier may be. The British protectorate of that part of the Mosquito territory shall cease three months after the exchange of the ratifications of the present treaty; in order to enable her Majesty's Government to give the necessary instructions for carrying out the stipulations of said treaty.

\* See *Annals of British Legislation*, vol. ix., p. 37.

ART. II.—A district within the territory of the Republic of Nicaragua shall be assigned to the Mosquito Indians, which district shall remain, as above stipulated, under the sovereignty of the Republic of Nicaragua. Such district shall be comprised in a line which shall begin at the mouth of the River Rama in the Caribbean Sea; thence it shall run up the midcourse of that river to its source, and from such source proceed in a line due west to the meridian of  $84^{\circ} 15'$  longitude west from Greenwich; thence due north up the said meridian until it strikes the River Hueso, and down the midcourse of that river to its mouth in the sea, as laid down in Bailly's map, at about latitude from  $14^{\circ}$  to  $15^{\circ}$  north, and longitude  $83^{\circ}$  west from the meridian of Greenwich; and thence southerly along the shore of the Caribbean Sea to the mouth of the River Rama, the point of commencement. But the district thus assigned to the Mosquito Indians may not be ceded by them to any foreign person or State, but shall be and remain under the sovereignty of the Republic of Nicaragua.

ART. III.—The Mosquito Indians, within the district designated in the preceding article, shall enjoy the right of governing, according to their own customs, and according to any regulations which may from time to time be adopted by them, not inconsistent with the sovereign rights of the Republic of Nicaragua, themselves, and all persons residing within such district. Subject to the abovementioned reserve, the Republic of Nicaragua agrees to respect and not to interfere with such customs and regulations so established, or to be established, within the said district.

ART. IV.—It is understood, however, that nothing in this treaty shall be construed to prevent the Mosquito Indians, at any future time, from agreeing to absolute incorporation into the Republic of Nicaragua on the same footing as other citizens of the Republic, and from subjecting themselves to be governed by the general laws and regulations of the Republic, instead of by their own customs and regulations.

ART. V.—The Republic of Nicaragua being desirous of promoting the social improvement of the Mosquito Indians, and of providing for the maintenance of the authorities to be constituted under the provisions of Article III. of this treaty, in the district assigned to the said Indians, agrees to grant to the said authorities, for the space of ten years, with a view to such purposes, an annual sum of five thousand hard dollars. The said sum shall be paid at Greytown, by half-yearly payments, to such person as may be authorized by the Chief of the Mosquito Indians to receive the same, and the first payment shall be made six months after the exchange of the ratifications of the present treaty. For the payment of this sum Nicaragua will levy and especially consign a duty, to be levied according to weight, on all packages of goods that are imported into that port for consumption in the territory of the Republic; and in case this duty shall not suffice for the payment of said sum, the deficit shall be made up from the other duties levied in the republic.

ART. VI.—Her Britannic Majesty engages to use her good offices with the chief of the Mosquito Indians, so that he shall accept the stipulations which are contained in this convention.

ART. VII.—The Republic of Nicaragua shall constitute and declare the port of Greytown, or San Juan del Norte, a free port under the sovereign authority of the Republic. But the Republic, taking into consideration the immunities heretofore enjoyed by the inhabitants of Greytown, consents that trial by jury in all cases, civil or criminal, and perfect freedom of religious

belief and worship, public and private, such as has hitherto been enjoyed by them up to the present moment, shall be guaranteed to them for the future. No duties or charges shall be imposed upon vessels arriving in, or departing from, the free port of Greytown, other than such as may be sufficient for the due maintenance and safety of the navigation, for providing lights and beacons, and for defraying the expense of the police of the port; neither shall any duties or charges be levied in the free port on goods arriving therein, in transit from sea to sea. But nothing contained in this article shall be construed to prevent the Republic of Nicaragua from levying the usual duties on goods destined for consumption within the territory of the Republic.

ART. VIII.—All *bona fide* grants of land for due consideration made in the name and by the authority of the Mosquito Indians, since the 1st of January, 1848, and lying beyond the limits of the territory reserved for the said Indians, shall be confirmed, provided the same shall not exceed in any case the extent of one hundred yards square, if within the limits of San Juan or Greytown, or one league square if without the same, and provided that such grant shall not interfere with other legal grants made previously to that date by Spain, the Republic of Central America, or Nicaragua; and provided further, that no such grant shall include territory desired by the Government of the latter State, for forts, arsenals, or other public buildings. This stipulation only embraces those grants of land made since the 1st of January, 1848. In case, however, any of the grants referred to in the preceding paragraph of this article should be found to exceed the stipulated extent, the commissioners hereinafter mentioned shall, if satisfied of the *bona fides* of any such grants, confirm to the grantee or grantees, or to his or their representatives or assigns, an area only equal to the stipulated extent. And in case any *bona fide* grant, or any part thereof, should be desired by the Government for forts, arsenals, or other public buildings, an equivalent extent of land shall be allotted to the grantees elsewhere. It is understood that the grants of land treated of in this article shall not extend to the westward of the territory reserved for the Mosquito Indians in Article II. further than  $84^{\circ} 30'$  of longitude, in a line parallel and equal with that of the said territory on the same side; and if it should appear that any grants have been made further in the interior of the Republic, the lands acquired *bona fide* shall be replaced with those that are within the limit defined under the regulations agreed upon.

ART. IX.—Her Britannic Majesty and the Republic of Nicaragua shall, within six months after the exchange of the ratifications of the present treaty, appoint each a commissioner for the purpose of deciding upon the *bona fides* of all grants of land mentioned in the preceding article as having been made by the Mosquito Indians, of lands heretofore possessed by them, and lying beyond the limits of the territory described in Article I.

ART. X.—The commissioners mentioned in the preceding article shall, at the earliest convenient period after they shall have been respectively named, meet at such place or places as shall be hereafter fixed; and shall, before proceeding to any business, make and subscribe a solemn declaration that they will impartially and carefully examine and decide, to the best of their judgment, and according to justice and equity, without fear, favour, or affection to their own country, all the matters referred to them for their decision; and such declaration shall be entered on the record of their proceedings. The commissioners shall then, and before proceeding to any

other business, name some third person to act as arbitrator or umpire in any case or cases in which they may themselves differ in opinion. If they should not be able to agree upon the selection of such a person, the commissioner on either side shall name a person; and in each and every case in which the commissioners may differ in opinion as to the decision which they ought to give, it shall be determined by lot which of the two persons so named shall be arbitrator or umpire in that particular case. The person or persons so to be chosen shall, before proceeding to act, make and subscribe a solemn declaration, in a form similar to that which shall already have been made and subscribed by the commissioners, which declaration shall also be entered on the record of the proceedings. In the event of the death, absence, or incapacity of such person or persons, or of his or their omitting, or declining, or ceasing to act as such arbitrator or umpire, another person or other persons shall be named as aforesaid to act in his or their place or stead, and shall make and subscribe such declaration as aforesaid. Her Britannic Majesty and the Republic of Nicaragua shall engage to consider the decision of the two commissioners conjointly, or of the arbitrator or umpire, as the case may be, as final and conclusive on the matters to be referred to their decision, and forthwith to give full effect to the same.

ART. XI.—The commissioners and the arbitrators or umpires shall keep accurate records and correct minutes or notes of all their proceedings, with the dates thereof, and shall appoint and employ such clerk or clerks, or other persons, as they shall find necessary to assist them in the transaction of the business which may come before them. The salaries of the commissioners and of the clerk or clerks shall be paid by their respective Governments. The salary of the arbitrators or umpires, and their contingent expenses, shall be defrayed in equal moieties by the two Governments.

The treaty was signed by Mr. Charles Lennox Wyke and Pedro Zeledon, President of the Republic.

#### *Declaration.*

In proceeding to the exchange of the ratifications of the treaty concluded and signed at Managua on the 28th of January, 1860, between her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Republic of Nicaragua, relative to the Mosquito Indians and to the rights and claims of British subjects, the undersigned, her Britannic Majesty's Principal Secretary of State for Foreign Affairs and the Envoy Extraordinary and Minister Plenipotentiary of the Republic of Nicaragua, hereby declare that the limitation laid down in the paragraph added by the Congress of the Republic to Article VIII of the said treaty applies to grants of land to the west of the meridian of  $84^{\circ} 30'$  of longitude throughout the whole extent of the territory hitherto occupied or claimed by the Mosquito Indians within the frontier of the Republic, but not to grants in any part of the said territory to the east of that meridian line.

The declaration was signed at London, the 2nd of August, 1860, by Lord John Russell and M. J. de Marcoleta.

## DISTURBANCES IN SYRIA.

*Further Papers respecting Disturbances in Syria.*

ON the 2nd August, Lord John Russell received from Earl Cowley copies of two protocols, signed at Paris on the 3rd by the representatives of Great Britain, Austria, France, Prussia, Russia, and Turkey, the one sanctioning the French expedition to Syria, the other disclaiming all interested motives on the part of the allies of the Porte in undertaking this expedition. But the latter recalled to the recollection of the Porte the promises made by the Sultan, in 1856, to ameliorate the condition of his Christian subjects.

THE PROTOCOL of the CONFERENCE held the 3rd of August, 1860: present, the Representatives of Austria, France, Great Britain, Prussia, Russia, and Turkey.

His Imperial Majesty the Sultan, wishing to stop, by prompt and efficacious measures, the effusion of blood in Syria, and to show his firm resolution to establish order and peace amongst the populations placed under his sovereignty, and their Majesties the Emperor of Austria, the Emperor of the French, the Queen of the United Kingdom of Great Britain and Ireland, His Royal Highness the Prince Regent of Prussia, and his Majesty the Emperor of all the Russias, having offered their active co-operation, which his Majesty the Sultan has accepted, the representatives of their said Majesties and of his Royal Highness have agreed upon the following Articles:—

ART. I.—A body of European troops, which may be increased to 12,000 men, shall be sent to Syria to contribute towards the re-establishment of tranquillity.

ART. II.—His Majesty the Emperor of the French agrees to furnish immediately the half of this body of troops. If it should become necessary to raise its effective force to the number stipulated in the preceding article, the High Powers would come to an understanding with the Porte without delay by the ordinary course of diplomacy, upon the designation of those among them who would have to provide it.

ART. III.—The commander-in-chief of the expedition will, on his arrival, enter into communication with the Commissioner Extraordinary of the Porte, in order to concert all the measures required by circumstances, and to take up the positions which there may be occasion to occupy in order to fulfil the object of the present Act.

ART. IV.—Their Majesties the Emperor of Austria, the Emperor of the French, the Queen of the United Kingdom of Great Britain and Ireland, His Royal Highness the Prince Regent of Prussia, and his Majesty the Emperor of all the Russias, promise to maintain, on the coast of Syria, sufficient naval forces to contribute towards the success of the common efforts for the maintenance or the re-establishment of tranquillity on the coast of Syria.

ART. V.—The High Parties, convinced that such a period will be sufficient to attain the object of pacification which they have in view, fix at six months the duration of the occupation of the European troops in Syria.

ART. VI.—The Sublime Porte undertakes to facilitate, as far as lies in her power, the furnishing supplies and provisions for the expeditionary corps. It is understood that the six preceding articles will be embodied verbatim into a convention, which will receive the signatures of the undersigned

representatives as soon as they are furnished with full powers from their Sovereigns, but that the stipulations of this protocol will immediately come into force. The Chargé d'Affaires of Prussia, however, points out that the present distribution of the Prussian ships of war will not permit his Government to co-operate at present in the execution of Article IV.

PROTOCOL of a CONFERENCE held the 3rd of August, 1860.

The Plenipotentiaries of, &c., desirous of establishing, in conformity with the intentions of their respective Courts, the true character of the assistance afforded to the Sublime Porte by the provisions of the protocol signed this day, the feelings which have dictated the clauses of this Act and their perfect disinterestedness, declare in the most formal manner that the Contracting Powers do not intend to seek for, and will not seek for, in the execution of their engagements, any territorial advantages, any exclusive influence, or any concession with regard to the commerce of their subjects, such as could not be granted to the subjects of all other nations. Nevertheless, they cannot refrain in recalling here the acts issued by the Sultan, the great importance of which was established by Article XI of the Treaty of March 30, 1856, from expressing the value which their respective Courts attach to the fulfilment of the solemn promises of the Porte, that serious administrative measures should be taken to ameliorate the condition of the Christian population of every sect in the Ottoman Empire. The Plenipotentiary of the Sublime Porte takes note of this declaration of the representatives of the High Contracting Powers, and undertakes to transmit it to his Court, pointing out that the Sublime Porte has employed and continues to employ her efforts in the sense of the wish expressed above.

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#### SPAIN AND MOROCCO.

##### *Correspondence relating to Spanish Occupation at Tangier or on Coast of Morocco.*

On the 22nd September, 1859, Lord John Russell wrote to Mr. Buchanan with reference to the preparations making in Spain with a view to hostilities in Morocco; that the differences between the Government of Spain and Morocco appeared to have arisen from outrages committed by Moors in the vicinity of Ceuta, but that those outrages appear to have been provoked by the excitements and defiances of the Governor of Ceuta; that a wild and untamed race seems to have become ungovernable, and to have made hostile attacks against the Spanish garrison of Ceuta; that if the Spanish Government only sought redress for wrongs and vindication of their honour, her Majesty's Government would not interpose any obstacle to their obtaining such reparation. But if the outrages of the wild Moorish tribes were to be made a ground for conquest, and especially on the coast, her Majesty's Government were bound to look to the security of the fortress of Gibraltar. Mr. Buchanan was, therefore, instructed to ask for a declaration, in writing, that if the Spanish troops should in the course of hostilities occupy Tangier, that occupation would be temporary, and would not extend beyond the ratification of a treaty of peace between Spain and Morocco. On the 12th October, Lord John Russell received from Mr. Buchanan an answer

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to the above, enclosing a letter from his Excellency Saturnino Calderon Collantes, to the effect that the Cabinet of Madrid were influenced alone by the sacred duty of defending their dignity and the honour of their nation; and that, when once the treaty of peace, which should put an end to the hostilities between Spain and Morocco, should be ratified, and the questions existing should be settled favourably, and therefore definitively, the Spanish Government, in the fulfilment of their intentions, would not continue in the occupation of Tangier, on the supposition that they should have found themselves obliged to establish themselves there, in order to receive the favourable issue of their operations. In answer to this, Lord John Russell wrote to Mr. Buchanan, that her Majesty's Government accepted with pleasure this assurance, and that they earnestly desired that there might be no change of possession on the Moorish coast of the Straits.

On the 29th October, Lord John Russell learned from Mr. Buchanan that he had sent a further note to M. Collantes on the subject, who answered that, in the present state of the question of Morocco, owing to the inconceivable resistance of the Sultan's Government to satisfying the just demands of Spain, it was very difficult, if not impossible, for the Cabinet of Madrid to determine, even approximately, the nature of the guarantees which they might find themselves under the necessity of asking, in order to assure the results of the hostilities which are on the point of commencing. That Mr. Buchanan could not be unaware, nor could his enlightened Government either be ignorant, that when two nations appeal for the settlement of their differences to force of arms, on the diplomatic relations which have been pursued without effect being broken off, former proposals were declared null, and considered as if they had not been made; while both parties reserved to themselves the right of renewing them, or of presenting others of a different kind, according as it may suit their interests, and correspond to the results of the military operations. Notwithstanding this, the Government of the Queen would not vary the intentions which they had formed from the beginning of that question, not to occupy any point on the Straits whose position could afford to Spain a superiority dangerous to the navigation. In this matter their ideas have been always so disinterested and loyal that they cannot believe that any doubt can have been conceived with regard to them.

Nevertheless, her Majesty's Government did not wish to omit the statement made above, feeling sure that her Britannic Majesty's Government, in asking for it, have no other object than to secure the safety of the interests of Great Britain, and not in any manner to interfere in the contest which is about to be engaged in between two independent nations.

#### ISLAND OF SAN JUAN.

##### *Correspondence respecting the Island of San Juan.*

On the 23rd June, Lord John Russell received from Lord Lyons a communication to the effect that the commanding officer of the Royal Marine on the Island of San Juan had received orders from General Harvey to recognize the civil jurisdiction of Washington territory over San Juan, and that the general went on to state that "he was satisfied that any attempt of the British commander to ignore the rights of the territory

would be followed by deplorable results out of his power to control." As soon as Lord Lyons received these orders he transmitted a copy to the United States Secretary of State, begging the United States Government to avert the deplorable consequences which would be too likely to follow any disturbance of the settlement so wisely effected by General Scott.

On the same date Lord John Russell received from Lord Lyons the answer of General Cass to the effect that the arrangement entered into by General Scott, in the month of October, 1859, in order to prevent any collision upon the Island of San Juan between the American and British authorities pending the negotiations between the two Governments, was strictly in pursuance of a previous arrangement which was made with Mr. Crampton by the Secretary of State of the United States in July, 1855, and met the full approval of this Government. The orders of General Harney, to which his attention has been called for the first time by the note of Lord Lyons, and which appear to be in violation of the arrangement of General Scott, have been read, therefore, by the President, both with surprise and regret. It was earnestly hoped that, upon a full explanation of all the circumstances attending them, it might be found that they were not intended to bear the construction which seemed naturally to belong to them, and that in any event they would lead to no collision between the American and British authorities on the island. To prevent this, as far as possible, instructions would be immediately sent to the commander of the United States troops in that region revoking the orders of General Harney, and giving full effect to the arrangement of General Scott. A strict inquiry would also be instituted into the conduct of General Harney, with a view to such measures on the subject as might be found necessary, and for this purpose he was recalled from his command, and ordered to report at Washington.

#### EMIGRATION OF LABOURERS.

*Convention between Her Majesty and the Emperor of the French, relative to the Emigration of Labourers from India to the Colony of Réunion. Signed at Paris, July 25, 1860. Ratifications exchanged at Paris, August 10, 1860.*

HIS Majesty the Emperor of the French having represented to her Majesty the Queen of the United Kingdom of Great Britain and Ireland, his desire to obtain immediately for the colony of Réunion the services of a limited number of labourers from India, the two High Contracting Parties have resolved to embody the necessary arrangements for the regulation of the emigration of such labourers in a convention as follows :—

ART. I.—The French Government shall be at liberty to recruit and engage, in the Indian territories belonging to Great Britain, labourers for the French colony of Réunion, and to embark emigrants, being subjects of her Britannic Majesty, either in British or French ports in India, under the conditions hereinafter stipulated. The number of labourers or emigrants to be embarked for the said colony, under the provisions of this convention, shall not exceed six thousand.

ART. II.—The French Government shall intrust the direction of its operations in every centre of recruitment to an agent chosen by itself.



Those agents must be approved by the British Government. Such approval is assimilated, with regard to the right of granting and withdrawal, to the exequatur given to consular agents.

ART. III.—This recruitment shall be effected, conformably to the regulations which now exist, or may hereafter be established, for the recruitment of labourers for British colonies.

ART. IV.—The French agent shall, with regard to the operations of recruitment which are intrusted to him, enjoy for himself and for the persons whom he may employ, all the facilities and advantages afforded to the recruiting agents for British colonies.

ART. V.—The Government of her Britannic Majesty shall appoint in those British ports where emigrants may be embarked, an agent who shall be specially charged with the care of their interests. In French ports the same duty with regard to Indian subjects of her Britannic Majesty shall be confided to the British consular agent. Under the term "consular agents" are comprised consuls, vice-consuls, and all other commissioned consular officers.

ART. VI.—No emigrant shall be embarked, unless the agent described in the preceding article shall have been enabled to satisfy himself either that the emigrant is not a British subject; or, if a British subject, that his engagement is voluntary, that he has a perfect knowledge of the nature of his contract, of the place of his destination, of the probable length of his voyage, and of the different advantages connected with his engagement.

After other regulations embodied in Arts. VII. to XIV.,

ART. XV.—In every vessel employed for the conveyance of emigrants, subjects of her Britannic Majesty, the emigrants shall occupy, either between decks or in cabins on the upper deck, firmly secured and entirely covered in, a space devoted to their exclusive use. Such cabins and space between decks shall in every part have a height of not less than one mètre sixty-five centimètres French measure (1.65 m.), or five feet and-a-half (5½ feet) English measure. No compartment shall take more than one adult emigrant for every cubic space of two mètres (2 m.) French measure, or seventy-two feet (72 feet) English measure, in the Presidency of Bengal and at Chandernagore; and for every cubic space of one mètre seven hundred decimètres French measure, or sixty feet English measure, in other French ports, and in the Presidencies of Bombay and Madras. An emigrant above the age of ten years shall count as an adult, and two children from one to ten years of age shall count as one adult. A place shall be fitted up for a hospital in every emigrant ship. Women and children shall occupy compartments of the vessel distinct and separate from those of the men.

ART. XVI.—Each shipment of emigrants shall include a proportion of women, equal to at least one-fourth of the number of men.

ART. XVII.—The British agents, at the embarkation, shall have, at all reasonable times, the right of access to every part of the ships which is appropriated to the use of emigrants.

ART. XVIII.—The governors of the French establishments in India shall make such administrative regulations as may be necessary to insure the complete execution of the preceding stipulations.

ART. XIX.—On the arrival of an emigrant ship in the colony, the Government shall cause to be transmitted to the British consular agent any despatches which it may have received for him, together with—1. A

nominal list of all labourers disembarked, who are subjects of her Britannic Majesty; 2. A list of the deaths or births which may have taken place during the voyage. The Colonial Government shall take the necessary measures to enable the British consular agent to communicate with the emigrants before their distribution in the colony. A copy of the list of distribution shall be delivered to the consular agent. He shall be informed of all deaths and births which may occur during the period of engagement, as well as of all changes of employer, and of all departures on a return passage. Every fresh engagement, or act of renunciation of the right to a free return passage, shall be communicated to the consular agent.

ART. XX.—All emigrants, being subjects of her Britannic Majesty, shall, in the same manner as other subjects of the British Crown, and conformably to the ordinary rules of international law, enjoy, in the colony, the right of claiming the assistance of the British consular agent, and no obstacle shall be opposed to the labourer's resorting to the consular agent and communicating with him; without prejudice, however, to the obligations arising out of his engagement.

ART. XXI.—In the distribution of labourers no husband shall be separated from his wife, nor any father or mother from their children under fifteen years of age. No labourer shall be required to change his employer without his own consent, unless he be transferred to the Government, or to the person who has acquired the property on which he is employed. Emigrants who may become permanently incapable of work, either by sickness or by any other cause beyond their own control, shall be sent back at the expense of the French Government, whatever time may still be wanting to entitle them to a free return passage.

ART. XXII.—All operations of emigration may be carried on in the colony by French or British vessels without distinction. British vessels which may engage in those operations shall be bound to conform to all the measures of police, health, and equipment which may apply to French vessels.

ART. XXIII.—The labour regulations of Martinique shall serve as a basis for all the regulations of the colony with regard to Indian emigrants, subjects of her Britannic Majesty. The French Government engages not to introduce into those regulations any modification the result of which would be to place the said Indian subjects in an exceptional position, or to impose upon them conditions of labour more stringent than those prescribed by the said regulations.

ART. XXIV.—The provisions of the present Convention relative to the Indian subjects of her Britannic Majesty shall apply to the natives of every Indian State which is under the protection or political control of her said Majesty, or of which the Government shall have acknowledged the supremacy of the British Crown.

ART. XXV.—It is understood that the stipulations of the present Convention relative to Indian subjects of her Britannic Majesty introduced into the colony shall be maintained in force in favour of the said Indians until they shall either have been sent back to their own country, or have renounced their right to a return passage.

The treaty was signed by Earl Cowley and E. Thouvenel, Minister of Foreign Affairs.

## TWO SICILIES.

*Despatches relative to the Departure of a Military and Naval Expedition from Genoa to the Kingdom of the Two Sicilies.*

On the 9th May, Lord John Russell received from Sir James Hudson copy of a despatch addressed to him by her Majesty's consul for Genoa, Consul Brown, reporting the departure, from places near Genoa, of two Sardinian merchant-steamers, with a number of persons, computed by the consul at about 400, on an expedition to the island of Sicily. On the 11th, Lord John Russell received another despatch from Sir James Hudson, with some further information respecting the expedition under General Garibaldi. The number of persons actually embarked was a little above 1000 men.

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## RECEPTION OF POLITICAL REFUGEES.

*Correspondence respecting the Reception of Political Refugees on board her Majesty's Ships of War.*

On the 29th March, Lord John Russell received a despatch from Mr. Elliot, dated the 23rd, to the effect that no political fugitives had been received on board her Majesty's men-of-war during the last six months.

Although the newspapers announced the arrival of the fleet, her Majesty's ship *Orion* was the only ship at Naples, and Sir James Hudson had, in conversation with Captain Frere, expressed the opinion that it would be extremely undesirable to give out that political refugees could find a refuge on board his ship; but that, in the event of such a person presenting himself, he ought to be guided by the circumstances of the particular case. In the excited state of Sicily, an announcement that political refugees could find a safe asylum on board her Majesty's ships would possibly be nearly sufficient to produce an outbreak; but, on the other hand, it was to be recollected that while a Government and its agents were persecuting individuals in defiance both of law and justice, the persons flying from the police might fairly be considered as somewhat in the same position as those who are escaping from the lynch law of a mob, and Sir James Hudson doubted whether any captain would drive back into the fangs of his pursuers a person who had once got on board and appealed for protection. As far as Sir James Hudson had ascertained, the captains of her Majesty's ships had acted with the utmost prudence and discretion, and when asked, as some have been, whether they would grant an asylum to political refugees, their reply was that their sole duty was the protection of British interests.

On the receipt of this despatch, Mr. Hammond wrote to the Secretary of the Admiralty, requesting to be informed of the nature of the general instructions issued by the Admiralty for the guidance of the officers of her Majesty's naval service in this respect. The Secretary of the Admiralty wrote in return that no precise instructions on the subject have ever been issued for the general guidance of officers in the reception of political refugees; nor did it appear to the Admiralty to be expedient to lay down general regulations, which could rarely be sufficient under all the various contingencies which may arise. It must, therefore, be necessary to rely on the judgment and discretion of officers in command, according to the cir-

circumstances of each individual case. The last instruction on the subject appears to have been issued in accordance with the directions contained in a letter from Mr. Addington of the 4th of August, 1849, conveying the opinion of Lord Palmerston in reference to the state of affairs at that time existing at Naples; and the Admiralty had no reason to doubt that a sound discretion would be exercised by the several officers in command, who were at all times enjoined to avoid all possible cause of offence to the authorities of the ports which they may visit, and to respect the established rights, customs, and regulations of such places. Their principal duties must be undoubtedly to afford protection to British subjects and to British interests, and any shelter which might be afforded to political refugees must, upon grounds of humanity, be exceptional in every instance.

In the letter of the Secretary to the Admiralty, dated 4th August, 1849, Mr. Addington, of the Foreign Office, stated that Viscount Palmerston was of opinion that it would not be right to harbour on board a British ship-of-war any person flying from justice on a criminal charge, or who was escaping from the sentence of a court of law. But a British man-of-war has always and everywhere been considered a safe place of refuge for persons of whatever country or party who have sought shelter under the British flag from persecution on account of their political conduct or opinions; and this protection has been equally afforded, whether the refugee was escaping from the arbitrary acts of a monarchical government or from the lawless violence of a revolutionary committee. There seemed to be nothing in the then state of affairs at Naples or in Sicily which ought to make a British ship-of-war stationed in a Neapolitan or in a Sicilian port an exception to the general rule; and, therefore, although the commander of such ship-of-war should not seek out or invite political refugees, yet he ought not to turn away nor to give up any who may reach his ship and ask admittance on board. Such officer must, of course, take care that such refugees shall not carry on, from on board his ship, any political correspondence with their partisans on shore, and he ought to avail himself of the earliest opportunity to send them to some place of safety elsewhere. Viscount Palmerston saw no reason, however, why the fact of a British officer having exercised this act of usual hospitality, should entitle the Government of the country to order him out of the port if the interests of her Majesty's service should require that he should remain there.

## FRANCE.

*French Decree of May 10, 1854, granting Relaxations in the Treaty of Navigation between England and France of January, 1826.*

On the 10th May, 1854, the Minister of Agriculture, Commerce, and Public Works, made the following report to the Emperor on the relaxations in the treaty of navigation between England and France of January, 1826:—

“The treaty of navigation concluded between France and England on the 26th January, 1826, has for its basis an entire reciprocity. In order to insure the execution of the treaty, an ordinance issued on the 8th February of the same year, prohibited, in an absolute manner, the importation, for consumption in France, of merchandize the produce of Asia, Africa, and

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America, laden in English warehouses. The same ordinance prohibited the importation, under the British flag, of European produce, except from ports of the United Kingdom, or of its possessions in Europe. These restrictive measures were only introduced into our customs system in return for corresponding measures which, in virtue of the Navigation Act of 1666, existed in the maritime code of England. These restrictions have ever since their existence been the subject of strong remonstrance on the part of commerce and industry.

"On several occasions the Government has departed from the rigour of the provisions of the ordinance of 1826; for instance, an ordinance of the 8th July, 1834, removed the prohibition of the importation from England of raw silks, foulards, Indian cashmeres, rum, and tafia. Quite recently, and in consequence of the inquiry as to the situation of the cotton-spinning industry, your Majesty, earnestly desirous of affording greater facilities to that industry, made a decree, on the 30th December last, abolishing, in the case of the textile material, the restrictions prescribed in the ordinance of 1826. At the same time your Majesty ordered me to examine if it would not be desirable entirely to abrogate that prohibition.

"The examination to which I have devoted myself, in concert with the departments of foreign affairs and finance, has convinced me, sire, that no interest demands the further maintenance of prohibitions which have lost all character of utility. In consequence, I have the honour to propose to your Majesty to approve the subjoined decree, the object of which is to replace our maritime and commercial relations with England on the footing of our ordinary law. Commerce and industry will applaud, sire, a measure which again testifies the interest which your Majesty takes in all which can contribute to the prosperity of the country."

And accordingly, the following decree was issued:—

"ART. I.—The arrangements contained in the 3rd Article of the ordinance of the 8th February, 1826, are to remain repealed.

"ART. II.—Our Ministers Secretaries of State for the department of agriculture, commerce, and public works, and for the department of finance, are charged, so far as concerns their respective departments, with the execution of the present decree.

"Done at the Palace of the Tuileries, the 10th May, 1854.

"(Signed) NAPOLEON."

No correspondence passed on the subject of this decree.

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#### ARMY.

*A Copy of the Memorandum dated Horse Guards, the 25th day of March, 1826, from page 287, Vol. 6, of the Committee of 1828 upon Public Income and Expenditure. (Colonel Lindsay.) 23rd March, 1860. (263.)*

"EXPERIENCE has shown that the service is much inconvenienced by the large proportion of brevet field officers who are serving in regiments with superior brevet rank, and that it would be very desirable to relieve the regiments from those especially who, having obtained rank by length of service, are in general worn out, or at least unequal to the active duties of their regimental rank in the field. It may be added, that it would be

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desirable and just to confer upon them some boon in reward of their services, and which may reconcile them to the disappointment they daily experience in being passed over by officers very much their juniors, who are able to purchase. It is, therefore, proposed that officers so circumstanced should have the option (without forfeiting, either as regards themselves or their families, their future claims on the service), of retiring upon the half-pay of the next effective rank superior to that which they hold regimentally, and that they should afterwards be permitted, if they should prefer it, to avail themselves of the provisions of the general order of the 25th April last in the sale of their half-pay commissions, namely, that of the superior grade considered as a regimental commission.

"The annual charge resulting from this measure would be the following:—60 majors, holding superior brevet rank to regimental commissions at 1s. 6d. per day, 27l. 7s. 6d., making a total of 1,642l. 10s.; and 142 captains, holding superior brevet rank to regimental commissions at 6d. per day, 9l. 2s. 6d. per annum, or a total of 1,295l. 15s.; grand total, 2,938l. 5s.

"It may be observed, also, that this charge would be reduced in proportion to the saving of the allowance to those captains having brevet rank, who, on active service or on garrison duty, are entitled to forage for their horses in consideration of their doing duty as field officers. It may be further observed, that this calculation is made on the supposition that all the officers having brevet rank superior to their regimental rank, would avail themselves of the arrangement; whereas it may be presumed that in general those only who are worn out, or who are unable to purchase promotion, would take advantage of it. There can be no doubt that very essential objects, as connected with the advantage of the service and the comfort and satisfaction of individuals, would be gained at a very cheap rate. The places of individuals so retiring on half-pay would be filled by officers from half-pay, having no higher rank than that of their regimental commissions.

"It appears reasonable, also, that the individuals so retiring should, in consideration of long service, reserve their future claims on the army, and be considered, in respect to provision for their wives and children, on the same footing as officers reduced to half-pay, or retiring on account of wounds, the arrangement being made for the convenience and benefit of the service.

"From the sale of their half-pay, subsequent to such arrangements, they would be excluded by the limitation of the provisions of the general order of the 25th April, unless the Government should consent to extend the period with reference to their cases only. In such case it is proposed that three months should be allowed to each individual from the date of his acceptance of the promotion to the regimental rank on half-pay, to enable him to determine upon the sale of his commission.

"This rule appears necessary (in preference to establishing a general period, as in the case of officers actually on half-pay), as the option of sale must be preceded by the acceptance of promotion upon the terms attached to it, and as the individuals are dispersed in various and in remote stations, whence must result delay and uncertainty in the communications with them. It should, however, be strictly specified that the sale of half-pay commissions consequent on this measure, is distinct from that allowed by the general order of 25th April last, and that the period will not be extended in respect to the individuals to whom that order refers; also, that no individual above

the age of sixty years, who shall avail himself of the option of promotion to the higher regimental rank on half-pay, shall be allowed to dispose of that half-pay.

“*Horse Guards, March 25, 1826.*”

#### MILITIA ARTILLERY.

*Return of the Average Annual Cost of every effective Thousand Rank and File of the Embodied Militia Artillery, including in the Calculation the Pay of Officers and Non-commissioned Officers, Clothing, Commissariat Charges and Allowances, but excluding the Cost of providing Arms and Quarters; of the Average Annual Cost of One Thousand Rank and File of regular Garrison Artillery; and of the Quantity and Value of all Ammunition issued to each Regiment of Embodied Militia Artillery for Practice and for Exercise (not including Small Arm Ammunition), in each of the Years ending 5th April, 1858, 1859, and 1860, specifying the Average Strength (Rank and File) of each Regiment, in each Year. (The Earl de Grey.) 26th June, 1860. (2351.)*

THE average annual cost of every effective thousand rank and file of the embodied militia artillery, including in the calculation the pay of officers and non-commissioned officers, clothing, commissariat charges and allowances, but excluding the cost of providing arms and quarters, was 46,488*l*. The average annual cost of one thousand rank and file of regular garrison artillery was 44,907*l*. In 1857 there was no regiment of militia artillery embodied; in 1858-9 there were four regiments embodied, and ammunition was issued to them of the value of 796*l* 2*s*. 2*d*. In 1859-60 there were thirteen regiments embodied, and ammunition was issued to them of the value of 2,095*l* 1*s*.

#### ARMY.

*Returns of the Number of General Officers, Field Officers, and Captains, in Active Employment on 1st March, 1860, whether Staff or Regimental, exclusive of Artillery and Engineers; of the same not in Active Employment, showing whether they are Colonels of Regiments on Unnattached Pay, on Full Pay, or Half-Pay; and of Percentage of Employed and Unemployed. (Colonel Herbert.) 29th March, 1860. (273.)*

IN active employment there were 56 general officers, 850 field officers, and 2,073 captains; and not in active employment there were 221 general officers, 310 field officers, and 484 captains; the percentage of the employed being for general officers, 20 employed, and 80 non-employed; for field officers, 73 employed, and 27 non-employed; and for captains, 81 employed, and 19 unemployed.

## SINKING FUND AND BUDGETS.

*Return of the Amount of the Sinking Fund in each Year, from 1829 inclusive, showing the Amount applied in each such Year to the Redemption of each description of Stock, the Amount of such Stock redeemed, and the Average Price per cent.; showing also the Amount of Exchequer Bills redeemed in each such Year, together with the Total Amount from 1829 inclusive; and also*

*Return of the Total Income and Expenditure of each Year from 1829 inclusive, as estimated in the Budget, and of the Actual Income; the Surplus or Deficiency so estimated, and the Actual Surplus or Deficiency. The Exchequer Balance at the commencement of the Year; the Balance of Money raised by the Creation of Debt or of Money applied to the Reduction of Debt; and the Excess of Advances or Repayments; together with the date of the Budget in each Year. (Lord Overstone.) 10th May, 1860. (382.)*

THE total amount of the sinking fund from 6th July, 1829, to 31st March, 1860, was 38,628,624*l.* 10*s.* 5*d.* This amount was applied as follows: Of the old South Sea annuities, 3 per cent., there was redeemed 996,091*l.* 12*s.* 9*d.* stock; the sum applied was 947,920*l.* 17*s.* 9*d.*, and the average price per cent. was 95*l.* 3*s.* 3*d.* Of the new South Sea annuities, 3 per cent., there was redeemed 631,545*l.* 13*s.* 5*d.* stock; the sum applied was 593,969*l.* 1*s.* 7*d.*, and the average price per cent. 94*l.* 1*s.* Of the South Sea annuities, 1751, 3 per cent., there was redeemed 162,300*l.* stock; the sum applied, was 150,409*l.* 15*s.*, and the average price was 92*l.* 13*s.* 5*d.* Of the consolidated annuities, 3 per cent., there was redeemed 5,515,320*l.* 13*s.* 11*d.*; the sum applied was 5,205,695*l.* 1*s.* 1*d.*, and the average price per cent. 94*l.* 7*s.* 8*d.* Of the reduced annuities, 3 per cent., there was redeemed 7,366,615*l.* 2*s.*; the sum applied was 7,106,566*l.* 18*s.* 1*d.*, and the average price 96*l.* 9*s.* 4*d.* per cent. Of the 3 per cents., anno 1726, there was redeemed 143,647*l.* 1*s.* 5*d.* stock; the sum applied was 136,779*l.* 17*s.* 10*d.*, and the average price per cent. 95*l.* 4*s.* 4*d.* Of the 3½ per cents., 1818, there was redeemed 834,340*l.* stock; the sum applied was 798,625*l.* 13*s.* 11*d.*, and the average price per cent., 95*l.* 14*s.* 4*d.* Of the reduced 3½ per cents., the sum redeemed was 3,418,905*l.*; the sum applied was 3,312,729*l.*, and the average price was 96*l.* 17*s.* 10*d.* per cent. Of the new 3½ per cents. there was redeemed 1,410,649*l.*; the stock applied was 1,377,848*l.* 9*s.* 6*d.*, and the average price per cent. was 97*l.* 13*s.* 6*d.* Of the 2½ per cents. there was redeemed 34,951*l.* 14*s.* 6*d.*; the sum applied was 27,626*l.* 18*s.* 4*d.*, and the average price per cent. 79*l.* 0*s.* 10*d.* Of exchequer bills, deficiency bills, there was redeemed 16,508,488*l.* 10*s.* 7*d.*, and the sum applied for them was 16,508,488*l.* 10*s.* 7*d.* Of exchequer bills, other than deficiency bills, there was redeemed 2,319,534*l.* 8*s.* 4*d.*; the sum applied was 2,320,747*l.* 18*s.* 4*d.*, and the average price per cent. was 1*s.* premium. Of national debt, other than stock or exchequer bills, there was redeemed 141,215*l.* 18*s.* 11*d.*, for which the sum applied was 141,215*l.* 18*s.* 11*d.* The total amount of debt redeemed was 39,483,604*l.* 15*s.* 10*d.*, and the total sum applied was 38,628,624*l.* 10*s.* 5*d.* The years in which the greatest sum was redeemed, were 1846, 4,158,371*l.*; 1847, 3,619,993*l.* 1*s.* 2*d.*; 1852, 3,096,998*l.*; 1832, 2,835,904*l.*; 1854, 2,591,065*l.*, 1851, 2,469,535*l.*; 1853, 2,427,781*l.*; 1831, 2,106,291*l.*, &c. The years in which no part of the debt was redeemed were, 1839, 1840, 1841, 1842, 1843, 1844, and 1849. The total estimated and actual income and expenditure of each year from 1829 inclusive, was as follows:—

SERIES A.

T T

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Year ending	Date of Budget.	Estimated		Actual		Exchequer Balance at Commencement of Year.	Balance of Money	
		Income.	Expenditure.	Income.	Expenditure.		Raised by Creation of Debt.	Applied to Reduction of Debt.
5th January 1830	8th May 1829	51,347,000	48,333,593	50,786,682	49,075,134	4,976,904	-	1,767,443
" " 1831	15th March 1830	49,950,000	47,812,000	50,056,616	47,142,943	4,849,517	-	1,786,365
" " 1832	11th Feb. 1831	47,950,000	46,756,521	46,424,441	47,123,298	5,993,940	-	1,282,158
5th April 1833	27th July 1832	46,470,000	45,696,376	46,852,650	45,365,507	2,195,045	-	1,549,115
" " 1834	19th April 1833	45,438,128	44,922,219	46,598,981	44,646,620	1,689,586	-	507,473
" " 1835	14th Feb. 1834	45,778,586	44,801,213	46,087,568	45,185,505	1,902,183	-	804,911
" " 1836	14th August 1835	45,550,000	45,365,000	46,380,247	45,003,940	1,063,679	(1) 2,638	-
" " 1837	6th May 1836	46,629,000	46,317,670	48,453,069	46,590,245	1,376,101	(1) -	2,187,371
" " 1838	30th June 1837	47,240,000	46,855,327	46,090,544	47,519,076	1,421,986	(1) 640,256	-
" " 1839	18th May 1838	47,271,803	47,479,000	47,833,118	48,263,444	373,802	(2) 695,638	-
" " 1840	5th July 1839	48,128,000	49,063,000	47,843,202	49,300,425	497,671	(3) 1,948,182	-
" " 1841	15th May 1840	48,591,000	49,432,000	47,433,399	49,285,396	1,007,073	(4) 2,108,084	-
" " 1842	30th April 1841	48,310,000	50,731,776	48,192,373	50,332,357	874,303	(5) 2,075,996	-
" " 1843	11th March 1842	51,450,000	50,819,000	48,745,460	51,167,236	857,291	(7) 2,702,434	-
" " 1844	8th May 1843	50,150,000	49,387,645	52,835,125	50,739,697	956,600	-	(2) 771,201
" " 1845	29th April 1844	51,390,000	48,643,170	54,417,615	48,075,179	2,235,897	-	2,324,531
" " 1846	14th Feb. 1845	50,362,000	49,690,000	52,009,324	49,628,734	6,257,379	-	2,261,498
" " 1847	29th May 1846	51,650,000	50,873,000	54,473,762	51,708,571	6,507,463	(12) 155,507	-
" " 1848	22nd Feb. 1847	52,515,000	52,183,000	52,082,757	55,175,042	5,459,835	(13) 6,645,984	-
" " 1849	18th Feb. 1848	52,130,000	54,161,256	53,027,733	53,287,111	6,768,337	(14) 1,861,832	-
" " 1850	25th August 1849	52,262,000	52,157,696	52,916,919	50,378,417	7,453,612	-	327,808
" " 1851	22nd June 1850	51,535,000	50,763,582	53,057,053	49,882,332	8,754,940	-	(15) 3,146,675
" " 1852	17th Feb. 1851	51,172,000	50,247,000	52,468,319	50,391,323	7,879,672	-	2,904,923
" " 1853	4th April 1852	51,625,000	51,164,000	53,243,218	50,782,476	6,838,847	-	1,620,049
" " 1854	30th April 1853	52,578,000	52,083,000	54,774,905	51,250,120	7,859,270	-	(16) 7,889,094
31st March 1855	18th April 1854	56,656,000	56,189,000	58,496,154	65,692,962	2,778,448	(17) 7,300,170	-
" " 1856	6th March 1855	59,496,000	63,039,000	65,704,491	88,428,345	3,949,774	(18) 25,373,380	-
" " 1857	20th April 1856	67,139,000	87,034,000	65,704,491	88,428,345	3,949,774	(19) 25,373,380	-
" " 1858	2nd August 1857	71,740,000	81,113,000	72,334,062	75,588,667	5,600,621	(20) 7,086,149	-
" " 1859	19th May 1858	66,365,000	65,434,000	67,881,513	68,128,859	8,668,371	-	(21) 2,352,749
" " 1860	13th Feb. 1859	63,920,000	63,610,000	65,477,234	64,663,882	6,657,802	-	(22) 65,069
" " 1861	17th July 1860	69,460,000	69,207,000	71,089,669	69,502,289	7,789,088	-	(23) 2,077,001

## REFERENCES TO THE PRECEDING TABLE.

(<sup>1</sup>) 1835-6, 1836-7. The amount of 20,000,000*l.* raised in 1835 and 1836 for the Slave Compensation Loan does not appear in this account, the amount not having passed through the Exchequer.

(<sup>2</sup>) 1837-8. Including 970,000*l.* raised by Consolidated Fund (Ways and Means) Bills issued in the quarter ending 5th April, 1838, of which 600,000*l.* were funded for savings banks, and 370,000*l.* paid off out of the Exchequer balance in the subsequent quarter.

(<sup>3</sup>) 1838-39. Including 980,000*l.* raised by Consolidated Fund (Ways and Means) Bills issued in the quarter ending 5th April, 1839, of which 500,000*l.* were funded, and 480,000*l.* paid off out of the Exchequer balance in the subsequent quarter.

(<sup>4</sup>) 1839-40. Including 1,253,000*l.* raised by Consolidated Fund (Ways and Means) Bills issued in the quarter ending 5th April, 1840, of which 500,000*l.* were funded for savings banks, and 753,000*l.* paid off out of the Exchequer balance in the subsequent quarter.

(<sup>5</sup>) 1840-41. Including 1,700,000*l.* raised by Consolidated Fund (Ways and Means) Bills in the quarter ending 5th April, 1841, of which 700,000*l.* were funded for savings banks, and 1,000,000*l.* paid off out of the Exchequer balance in the subsequent quarter.

(<sup>6</sup>) 1841-2. Including 434,000*l.* raised by Consolidated Fund (Ways and Means) Bills in the quarter ending 5th April, 1842, and paid off out of the Exchequer balance in the subsequent quarter.

(<sup>7</sup>) 1842-3. Including 2,749,000*l.* raised by Consolidated Fund (Ways and Means) Bills in the quarter ending 5th April, 1843, and paid off out of the Exchequer balance in the subsequent quarter.

(<sup>8</sup>) 1843-4. The expenditure includes 2,070,000*l.* not estimated, for opium compensation and payment of debt due to the East India Company on account of the Chinese war.

(<sup>9</sup>) 1843-4. Including 2,000,000*l.* raised by Consolidated Fund (Ways and Means) Bills in the quarter ending 5th April, 1844, and paid off out of the Exchequer balance in the subsequent year.

(<sup>10</sup>) 1844-5. Including 400,000*l.* for the expedition to China, which it was found unnecessary to apply.

(<sup>11</sup>) 1846-7. Including 682,000*l.* for distress in Ireland, not estimated.

(<sup>12</sup>) 1846-7. 960,000*l.* in part of the loan of 8,000,000*l.* for Irish distress were raised in this year.

(<sup>13</sup>) 1847-8. The expenditure includes 975,000*l.* for Irish distress, and 1,100,000*l.* for the Kaffir war, not estimated.

(<sup>14</sup>) 1847-8. 7,003,574*l.* were raised in part of the loan of 8,000,000*l.* for Irish distress.

(<sup>15</sup>) 1848-9. Including 2,000,000*l.* raised by loan per Act 11 & 12 Vict. c. 125.

(<sup>16</sup>) 1850-1. The amount applied in discharge of the debt due to the Equivalent Company (248,550*l.*) is excluded from the estimated and actual expenditure, but brought into this account as debt reduced.

(<sup>17</sup>) 1853-4. 790,000*l.* were raised by Consolidated Fund (Ways and Means) Bills in the quarter ending 5th April, 1854, and paid off out of the Exchequer balance in the subsequent quarter. 8,048,131*l.* were applied in redeeming South Sea stock and Bank annuities (1726).

(<sup>18</sup>) 1854-5. Including 5,966,613*l.* raised by Exchequer Bonds expiring in 1857, 1858, and 1859, and 1,000,000*l.* raised by Consolidated Fund (Ways and Means) Bills issued in the quarter ending 31st March, 1855, and paid off out of the Exchequer balance in the subsequent quarter.

(<sup>19</sup>) 1855-6. Including 19,501,000*l.* raised by loan; 6,000,000*l.* by Exchequer Bills; and 977,750*l.* by Exchequer Bonds. 213,177*l.* were applied in redemption of hereditary pensions.

(<sup>20</sup>) 1856-7. Gross income and expenditure, including charges of collection.

(<sup>21</sup>) 1856-7. Including 6,499,000*l.* raised by loan, and 1,000,000*l.* by Exchequer Bills. The sum of 91,181*l.* was applied in redemption of hereditary pensions.

(<sup>22</sup>) 1857-8. 2,000,000*l.* for redemption of Exchequer Bonds, and 250,000*l.* for sinking fund of loan, are not included in the expenditure, but are brought into this account as debt reduced.

(<sup>23</sup>) 1858-9. The Exchequer Bonds payable this year were renewed.

(<sup>24</sup>) 1859-60. Including 256,385*l.* received from the Spanish Government for war stores supplied in 1834-8.

(<sup>25</sup>) 1859-60. Including 858,057*l.* for operations in China, not included in the Budget estimate.

(<sup>26</sup>) 1859-60. Including 2,000,000*l.* Exchequer Bonds paid off out of the Exchequer balance.

N.B.—The preceding amounts of actual receipt, expenditure, balances, &c., form part of the yearly balance sheets as made up from the receipts into and payments from the Exchequer. The total *nominal* amounts of the several additions to and reductions of the funded and unfunded debt within the period are not stated in this return, but they are detailed in the Annual Finance Accounts (Classes 4 and 5) presented to Parliament. The *net* sum raised by creation of debt or applied to the reduction of debt in each year is shown above.

#### DUCHY OF LANCASTER.

*An Account of the Receipts and Disbursements of the Duchy of Lancaster in the Year ended on the 21st December, 1859; also a separate Account of the Capital of the said Duchy for the same period. (22nd February, 1860.) (98.)*

THE receipts in the year 1859 amounted to 45,436*l.* 8*s.* 3½*d.* The expenditure included 25,000*l.* paid to the Keeper of her Majesty's Privy Purse, and 14,087*l.* 5*s.* 7½*d.* for salaries, donations, land-taxes, &c., leaving a balance in cash at banker's on 21st December, 1859, of 5,949*l.* 9*s.* 4*d.*, and due to the Receiver-General on his capital account 399*l.* 13*s.* 4*d.* Total, 6,349*l.* 2*s.* 8*d.*

The capital amount showed a balance of stock on the 21st December, 1859, of 34,713*l.* 12*s.* 10*d.* having during year sold stock for the sum of 8,087*l.* 12*s.* 9*d.*

#### NATIONAL DEBT.

*Return of the Amount of Donations and Bequests towards reducing the National Debt (including the money value of Stock bequeathed), in each Financial Year since the passing of 4 Geo. IV. c. 19, and detailed Statement of the Sums given or bequeathed in each Year. (Lord Overstone.) 10th May, 1860. (1,624.)*

THE total amount of donations and bequests, including the money value of stock bequeathed up to the year ending 31st March, 1860, was 285,695*l.* 16*s.* 7*d.* The amount of dividends on stock standing on the account of donations and bequests, was 391,160*l.*, making a total of 676,856*l.* 5*s.* 6*d.* The amount of 3 per cent. stock purchased or bequeathed was 772,449*l.* 8*s.* 5*d.*; the average price per cent. was 87*l.* 12*s.* 5*d.* Among the bequests there was a sum of 193,457*l.* 17*s.* 5*d.*, bequest of residue of personal estate of John Ashton, of Newton Bank, near Hyde, Cheshire, transferred by Court of Chancery; 46,750*l.* consolidated 3 per cent., and other sums, making altogether 61,494*l.*, left by A. M. Reynolds; 11,489*l.* sterling bequeathed by Admiral P. Rainier; 14,300*l.* navy 5 per cent., by Major T. Gamble; and 15,794*l.* by Alexander Petrie, of Swanswick.

#### SAVINGS BANKS.

*Accounts of the Number of Depositors, and of Charitable Institutions and Friendly Societies depositing their Funds, in Savings Banks; and of the Sums deposited, divided into Classes, from 20th November, 1858, to 20th November, 1859. (Sir Henry Willoughby.) 31st January, 1860. (247.)*

ON the 20th November, 1859, there were 213,473 depositors, not exceeding 1*l.*, having together 64,542*l.*; 294,739 depositors, not exceeding 5*l.*, having 744,746*l.*; 194,133 depositors, not exceeding 20*l.*, having 1,352,686*l.*; 140,092 depositors, not exceeding 15*l.*, having 1,676,224*l.*; 86,250 depositors, not exceeding 20*l.*, having 1,479,124*l.*; 148,575 depositors, not

exceeding 30*l.*, having 3,548,350*l.*; 121,501 depositors, not exceeding 40*l.*, having 4,034,070*l.*; 58,032 depositors, not exceeding 50*l.*, having 2,571,250*l.*; 98,380 depositors, not exceeding 75*l.*, having 5,963,681*l.*; 45,580 depositors, not exceeding 100*l.*, having 3,948,360*l.*; 30,700 depositors, not exceeding 125*l.*, having 3,403,506*l.*; 18,134 depositors, not exceeding 150*l.*, having 2,481,851*l.*; 28,482 depositors, not exceeding 200*l.*, having 4,838,300*l.*, and 1,652 depositors, exceeding 200*l.*, having 355,950*l.* Total individual depositors, 1,479,723. Amount of deposits, including interest, 36,462,440*l.* There were, moreover, 16,315 charitable institutions having deposits of 802,341*l.*, and 10,738 friendly societies having 1,731,095*l.*; making a grand total of 1,500,776 depositors, and having together 38,995,876*l.*

The amount of principal money received from, and interest paid and credited to, the trustees, including interest due upon the 20th November, 1859, was 42,730,198*l.*, for friendly societies and saving banks. The amount of principal and interest paid was 41,549,366*l.*, and the amount due 41,180,833*l.* The value of securities held by the Commissioners on the 20th November, 1859, amounted to 36,869,199*l.*; and the amount of uninvested balance was 841,991*l.* The Commissioners held 12,679,467*l.* consolidated 3 per cent., at 95 $\frac{1}{4}$ , value, 12,156,439*l.*; 6,792,216*l.* reduced 3 per cent., at 94 $\frac{1}{4}$ , value, 6,427,134*l.*; 18,239,121*l.* new 3 per cent., at 94 $\frac{1}{4}$ , value, 17,258,769*l.*; 31,900*l.* new 2 $\frac{1}{2}$ , at 79 $\frac{1}{4}$ , value, 25,440*l.*; and 1,031,589*l.* new 3 per cent., Ireland, 976,141*l.*; besides exchequer bills 25,000*l.*; capital, 25,000*l.*; interest, 275*l.* 17*s.* 6*d.* Total stock and exchequer bills, 38,799,292*l.* 18*s.* 11*d.*; value, 36,869,199*l.* The aggregate amount of interest paid and credited to the trustees of savings banks and friendly societies was 32,970,129*l.* And the aggregate amount of interest or dividends received by the Commissioners on stock funds and exchequer bills was 29,535,941*l.* The difference being 3,434,188*l.*

## PAPER.

*Return of the Quantity of Paper of all sorts charged with Duties of Excise in the United Kingdom in each Year, from 1830 to 1859 inclusive; the Quantity thereof Exported, Drawnback on, and retained for home consumption; together with the gross and net Receipt of the Excise Duties on Paper in each such Year; showing also the variation in the Rates of Duty; and also of portions of Reports of the Commissioners of Inland Revenue relating to Paper Duties.* (Lord Monteagle of Brandon). 20th March, 1860. (794).

FROM 1830 to 1836 the rates of duty on paper were, 1st class paper, 3*d.* per lb.; 2nd class, 1 $\frac{1}{4}$ *d.* per lb. Glazed paper millboard: 1st class, 1*s.* 8*d.* per cwt.; 2nd class, 1*s.* 1*d.* per cwt. Pasteboard: 1st class, 1*s.* 8*d.* per cwt.; 2nd class, 1*s.* 2*d.* per cwt. During this period the quantity retained for consumption increased from 65,933,433 lbs. in 1830, to 80,780,735 lbs. in 1836, and the net amount of duty increased from 687,808*l.* in 1830 to 709,702*l.* in 1836. From 1837 to 1839 the duty on all kinds of paper was 1 $\frac{1}{4}$ *d.* per lb.; and the quantity retained for consumption increased to 93,236,444 lbs. in 1839. From 1840 to 1859 the duty was 1 $\frac{1}{4}$ *d.* per lb. and 5 per cent. additional. The quantity retained for consumption increased from 92,178,631 lbs. in 1840, to 133,166,341 lbs. in 1850, and 197,684,847 lbs. in 1859; the net amount of duty increasing from 581,995*l.* in 1840, to 852,996*l.* in 1850, and 1,258,464*l.* in 1859.

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The following is a memorandum by Mr. Phillips, of the Laboratory Department, on the materials used in the manufacture of paper :—

“MEMORANDUM by Mr. PHILLIPS, of the LABORATORY DEPARTMENT, on the MATERIALS used in the MANUFACTURE OF PAPER.

“It appears, that owing to the enormous increase in the consumption of paper during the last few years, the demand for materials most commonly used in the manufacture, such as linen and cotton rags, old canvas, hempen bagging, sheeting, &c., far exceeded the supply, the accumulation of such cast-off materials being necessarily limited, and influenced by causes wholly independent of the paper trade; the effect of this disproportion between the supply and demand is shown by the following tables, which give for the last nine years the prices of the materials principally consumed in the manufacture of printing papers :—In the year 1848, the price was 13s. per cwt.; in 1849, the price fluctuated from 10s. to 11s.; in 1850, from 12s.; in 1851, from 12s. to 13s.; in 1852, from 15s.; in 1853, from 15s. to 16s.; in 1854, from 16s. to 19s.; in 1855, from 16s. to 17s.; in 1856, from 14s. to 15s. The maximum price of the materials in question was thus attained in the year 1854, and it was at this period that the producers and consumers of paper called loudly for some substance which could be economically used as a substitute for rags. Attention being thus drawn to the subject, the fibres of a great number of plants were suggested as suitable for the required purpose. Of these fibres may be mentioned those of the straw of cereals, grasses, hay, sugar-cane, holcus-saccharatus, West Indian plantain, common nettle, hopbine, potato stalks, liber and roots of trees, tendrils of the vine, couchgrass, hollyhock, common thistle, the shavings of willow and other woods, sawdust, and even the excrement of cows. Most of these substances were provisionally registered in the Patent Office, but, with the exception of straw, I am not aware that any of them have been used in the manufacture of paper. Attempts have also been made to render available waste paper, such as old newspapers, either by working it up into pulp after the printing ink has been extracted, or merely by removing the ink by chemical means from the surface; neither of these methods, however, appears to have been sufficiently successful.

“It is obvious, on inspecting the above list of substances intended to supersede rags, that the real requirements of the paper maker were but little understood, the problem being not only to discover a material which would make paper, but also one by the use of which the manufactured article could be considerably lowered in price without impairing its quality. Now, the fibres of most plants are capable of being converted into paper, especially those which contain an abundance of pleurenychyma or woody tissue, but nearly all of those which have been proposed as substitutes for rags possess some disadvantage, either in their constitution, non-abundance, or in the difficulty of their preparation, which renders their competition with the materials at present used entirely out of the question. Straw, for instance, which has hitherto been the most promising substitute for rags, and which was at one time rather extensively employed, can only be imperfectly bleached, and is difficult to pulp, on account of the joints or knots in the stem; its coating of silica also, which can only be removed by a prolonged treatment with caustic alkalies which would injure the fibre, causes the paper to be very brittle, and deficient in opacity.

“An attempt on an extensive scale is about to be made to supply paper

makers with pulp intended to be mixed with that of rags, and which is to be prepared from couchgrass or twitch; for this purpose a company has been formed, having a large capital, and a mill established at Helpstone, near Peterborough. But rags, from the treatment which, for other objects, they have already received, will always have the advantage over other materials of coming to the hands of the paper makers free from those natural colouring and gummy matters which adhere so tenaciously to raw fibre, and form a large per-centage of its weight.

"The following are the conditions which I believe are essential to the successful introduction of a substitute for the materials at present employed in the production of paper:—

"1st.—That the substance should be procurable in abundance, and its price such that paper could be made from it at a considerably less cost than from ordinary rags.

"2nd.—That it should cleanse and bleach rapidly, and yield a strong and pliable fibre that would produce paper possessed of permanent whiteness and free from knots.

"My attention was in 1854 first drawn to the subject of new materials for paper-making, since which time numerous samples of vegetable fibre have been forwarded to me for examination, the whole of which were capable of being formed into paper. The points determined in the examination of these substances, were the strength of the fibre as compared with that of flax and hemp; the readiness, or otherwise, with which the material, when submitted to the cleansing, bleaching, and pulping process, was acted on; the per-centage of dried pulp which the raw fibre would yield, and the appearance and quality of the paper produced from the substance.

"Of the materials so examined, the fibres of the *holcus-saccharatus*, an exotic grass of large growth, appeared to me to be well suited for the manufacture of paper; its strength, compared with hemp, was ascertained, by careful experiments, to be about as nine to ten, and it is not difficult to convert into paper, possessing whiteness, opacity, and strength,

"Whilst great efforts have been made to discover some plant which would yield a fibre suitable for the purpose in question, it seems surprising that so little attention should have been paid to the stem of the potato, which, from experiments conducted under my inspection, I am of opinion might be readily made available in the manufacture of paper. Its cheapness and abundance are evident, and from its general distribution over the face of the country, the carriage of the material would be comparatively inexpensive. The dried stem will produce no less than 70 per cent. of bleached and dried pulp, the preparation of which is easy, and the paper which is formed is of a good colour, opaque, and possessed of great strength. In 1854, the application of the potato haulm to the manufacture of paper was provisionally registered in the Patent Office, but no patent was ever taken out.

"In conclusion, it may be observed, that the regulations under which the excise duty is charged upon paper do not offer the slightest impediment to the manufacturer in the introduction of new materials, or in the alteration or improvement of his processes, as paper, unlike all other exciseable articles, is perfectly free from fiscal interference during its manufacture, and it is only when the article is finished and ready for the market that an account is taken of it, and the duty charged."

## BOARD OF TRADE ACCOUNTS.

ACCOUNTS RELATING TO THE TRADE OF THE UNITED KINGDOM,

(For the Year ended 31st December, 1860.)

AN ACCOUNT of the IMPORTS and CONSUMPTION of the PRINCIPAL ARTICLES of FOREIGN and COLONIAL MERCHANDISE, in the YEAR ended 31st DECEMBER, 1860.

ARTICLES.	Imports.	Entered for Home Consumption.	ARTICLES.	Imports.	Entered for Home Consumption.
Animals, living . . . number	449,340	Free.	Leather Manufactures:—		
Asbes . . . . . cwts.	141,087	"	Boots, Shoes and G-		
Bark . . . . .	418,069	"	loashes of all kinds . . . pairs	392,072	21,146
Bones . . . . . tons	62,331	"	Boot Fronts . . . . .	476,093	63,383
Brimstone . . . . . cwts.	1,007,503	"	Gloves . . . . .	5,318,397	2,591,112
Bristles . . . . . lbs.	2,534,217	"	Mahogany . . . . . tons	44,710	34,534
Caoutchouc . . . . . cwts.	42,039	"	Metals:—		
Clocks and Watches:—			Copper Ore . . . . .	76,385	Free.
Clocks . . . . . number	343,362	50,476	Copper Regulus . . . . .	21,032	"
Watches . . . . .	154,024	14,665	Copper, Unwrought		
Cocoa . . . . . lbs.	9,009,839	3,481,463	and part Wrought . . . cwts.	226,060	"
Coffee . . . . .	82,767,746	35,674,381	Iron, in Bars, un-		
Corn:—			wrought . . . . . tons	54,061	"
Wheat . . . . . qrs.	5,880,958	5,906,181	Steel, Unwrought . . . . .	2,788	"
Barley . . . . .	2,112,861	2,132,031	Lead, Pig and Sheet . . .	22,171	"
Oats . . . . .	2,390,951	2,308,384	Spelter . . . . .	22,481	"
Peas . . . . .	314,301	317,531	Tin . . . . . cwts.	56,320	"
Beans . . . . .	439,934	440,865	Oil:—		
Indian Corn or Maize . . .	1,851,762	1,855,660	Train, Blubber, and		
Wheat Meal & Flour . . .	5,086,230	5,129,353	Spermaceti . . . . . tons	17,029	"
Indian Corn Meal . . .	7,625	7,625	Palm . . . . . cwts.	804,395	"
Cotton, Raw . . . . . cwts.	12,419,096	Free.	Cocoa-Nut . . . . .	194,309	"
Cotton Manufactures,			Olive . . . . . tons	20,549	"
not made up . . . value £	716,470	"	Seed Oil, of all kinds . . .	12,995	"
Cream of Tartar . . . cwts.	31,276	"	Oil Seed Cakes . . . tons	108,526	"
Dyes and Dyeing Stuffs:—			Potatoes . . . . . cwts.	560,762	"
Cochineal . . . . . cwts.	22,486	"	Provisions:—		
Indigo . . . . .	77,321	"	Bacon and Hams . . .	226,106	"
Lac dye . . . . .	7,634	"	Beef, Salt . . . . .	261,959	"
Logwood . . . . . tons	26,938	"	Pork, Salt . . . . .	173,009	"
Madder and Madder			Butter . . . . .	840,112	26,387
Root . . . . . cwts.	282,395	"	Cheese . . . . .	852,383	59,085
Garancine . . . . .	38,344	"	Eggs . . . . . number	167,694,900	20,135,400
Shumac . . . . . tons	12,922	"	Lard . . . . . cwts.	198,030	Free
Terra Japonica . . . . .	2,564	"	Quicksilver . . . . . lbs.	2,966,588	"
Cutch . . . . .	2,164	"	Rice, not in the Husk . . . cwts.	1,534,167	257,242
Valonia . . . . .	18,856	"	Saltpetre . . . . .	222,206	Free.
Elephants' Teeth . . . cwts.	10,523	"	Cubic Nitro . . . . .	745,559	"
Flax and Tow, or Codilla			Seeds:—		
of Flax . . . . .	1,464,810	"	Clover . . . . .	264,902	"
Fruit:—			Flaxseed & Linseed . . . qrs.	1,240,622	"
Currants . . . . .	755,415	642,529	Rape . . . . .	269,403	"
Lemons & Oranges . . . bushels	1,164,412	435,183	Silk:—		
Raisins . . . . . cwts.	242,770	264,077	Raw . . . . . lbs.	9,178,647	"
Guano . . . . . tons	141,435	Free.	Waste, Knubs, and		
Hair:—			Huaks . . . . . cwts.	17,435	"
Goats' Hair or			Thrown . . . . . lbs.	224,235	"
Wool . . . . . lbs.	2,821,480	"	Silk Manufactures of India		
Manufactures of			Europe:—		
Hair and of Goats'			Broad Stuffs:—Silk		
Wool, wholly or			or Satin . . . . . lbs.	451,568	20,730
in part made			Broad Stuffs: Gauze,		
up . . . . . value £	453,389	4,199	Crape, and Velvet . . .	88,289	782
Hemp:—			Ribbons, of all kinds . . .	830,796	25,514
Hemp (dressed and			Pinah for making		
undressed) and			Hats . . . . .	90,730	11,810
Tow, or Codilla of			Silk Manufactures of	223,910	5,231
Hemp . . . . . cwts.	787,282	Free.	Spices:—		
Jute and other vege-			Cassia Lignea . . . . . lbs.	580,560	13,551
table substances			Cinnamon . . . . .	782,486	4,085
of the nature of			Cloves . . . . .	981,308	27,575
hemp . . . . .	821,821	"	Ginger . . . . . cwts.	34,704	1,256
Hides, untanned:—			Nutmegs . . . . . lbs.	632,221	15,589
Dry . . . . .	226,923	"	Pepper . . . . .	12,808,027	3,749,923
Wet . . . . .	611,406	"	Pimento . . . . . cwts.	21,127	446
Hides, Tanned, Tawed,			Spirits:—		
Curried, or Dressed			Rum . . . . . proof gal.	7,252,114	2,729,419
(except Russia Hides)			Brandy . . . . .	2,242,540	1,463,636
Hops . . . . . cwts.	68,918	4,296	Geneva . . . . .	635,408	261,308

# BOARD OF TRADE ACCOUNTS.

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ARTICLES.	Imports.	Entered for Home Consumption.	ARTICLES.	Imports.	Entered for Home Consumption.
Sugar, Unrefined :— 1st quality (equal to White Clayed) cwt. 86,516 48,505			Timber and Wood :— Timber or Wood not Sawn or Split, or otherwise dressed loads 1,273,137 1,432,153		
2nd quality (not equal to White, but equal to Brown Clayed). " 2,743,286 2,464,999			Tobacco :— Stemmed lbs. 22,717,042 18,430,638		
3rd quality (not equal to Brown Clayed). " 4,977,784 5,184,093			Unstemmed " 25,226,597 16,676,003		
—Refined, and Sugar " 4,977,784 5,184,093			Manufactured, and Snuff " 2,727,254 206,205		
Candy " 245,041 266,054			Turpentine, Common cwt. 186,474 Free.		
Cane Juice " 18,286 12,926			Wine :— Red gals. 5,218,101 3,001,412		
Molasses " 606,765 559,953			White " 7,265,261 4,356,779		
Tallow " 1,430,108 105,247			Wool, Sheep & Lambs lbs. 145,501,681 Free.		
Tar " 13,609 Free.			—Alpaca and the Llama Tribe " " "		
Tea lbs. 88,946,532 76,859,428			Woollen Manufactures :— Not made up value £ 2,894,296 918,927		
Timber and Wood :— Deals, Battens, Boards, or other Timber or Wood Sawn or Split loads 1,452,806 1,793,629			Articles wholly or partially made up :— Shawls, Scarfs, and Handkerchiefs lbs. 446,176 32,971		
Staves, not exceeding 72 in. long. " 76,341 62,835			Yeast, dried cwt. 84,652 Free.		

## AN ACCOUNT of the COMPUTED REAL VALUE of the PRINCIPAL ARTICLES of FOREIGN and COLONIAL MERCHANDISE IMPORTED in the YEAR ended 31st DECEMBER, 1860.

Coffee, Raw ... .. £2,543,211	Metals :—	
Corn :—	Lead, Pig and Sheet ... 468,435	
Wheat ... .. 16,554,083	Spelter ... .. 499,636	
Barley ... .. 3,356,903	Tin ... .. 387,307	
Oats ... .. 2,624,158	Oil :—	
Peas ... .. 617,846	Train, Blubber, and Sper-	
Beans ... .. 793,451	maceti ... .. 878,868	
Indian Corn or Maize ... 3,165,804	Palm ... .. 1,796,465	
Wheatmeal and Flour ... 4,320,558	Olive ... .. 1,247,902	
Cotton, Raw ... .. 35,756,889	Oil Seed Cakes ... .. 910,840	
Cotton Manufactures not made up 718,150	Provisions :—	
Flax, dressed and undressed, and Tow or Codilla of Flax ... 3,836,770	Bacon... .. 870,286	
Fruit :—	Butter ... .. 4,078,017	
Currants ... .. 852,863	Cheese ... .. 1,597,569	
Raisins ... .. 400,807	Rice, not in the Husk ... 1,023,108	
Guano ... .. 1,563,145	Saltpetre ... .. 663,729	
Hemp :—	Cubic Nitre ... .. 502,086	
Hemp (dressed and undressed), and Tow or Codilla of Hemp ... 1,199,018	Seeds, Flax and Linseed... 3,391,938	
Jute, and other vegetable substances of the nature of Hemp. 665,764	Silk :—	
Hides, Untanned :—	Raw ... .. 9,986,846	
Dry ... .. 948,072	Thrown ... .. 336,991	
Wet ... .. 1,971,173	Spirits :—	
Tanned, tawed, curried, or dressed (except Russia Hides) ... 377,267	Rum ... .. 758,836	
Indigo ... .. 2,528,888	Brandy ... .. 1,083,662	
Metals :—	Geneva ... .. 76,341	
Copper Ore ... .. 1,318,160	Sugar, Unrefined :—	
Copper Regulus ... .. 894,981	1st Quality (equal to White Clayed) ... .. 134,911	
Iron in Bars, unwrought ... 659,620	2nd Quality (not equal to White, but equal to Brown Clayed) ... .. 5,423,576	
	3rd Quality (not equal to Brown Clayed) ... .. 6,283,856	
	Sugar, Refined, and Sugar Candy 590,096	

SERIES A.

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Molasses ... ..	£378,295
Tallow ... ..	4,014,280
Tea ... ..	6,944,042
Timber and Wood:—	
Deals, Battens, Boards, or other Timber or Wood, sawn or split ... ..	4,853,533
Timber or Wood, not sawn or split, or otherwise dressed, except hewn, and not otherwise charged with duty ... ..	4,352,559

Tobacco:—	
Stemmed ... ..	£755,093
Unstemmed ... ..	739,424
Manufactured, and Cigars ...	283,115
Wine:—	
Red ... ..	1,563,231
White... ..	2,638,203
Wool:—	
Sheep and Lambs' ... ..	10,704,922
Alpaca and the Llama tribe	326,557
Woollen Manufactures not made up	918,927
Total ...	£169,131,063

AN ACCOUNT of the EXPORTS of the PRINCIPAL ARTICLES of FOREIGN and COLONIAL MERCHANDISE, in the YEAR ended 31st DECEMBER, 1860.

Cheese ... .. cwt.	8,208
Cocoa ... .. lbs.	2,421,320
Coffee:—	
Of British Possessions. „	36,253,479
Foreign ... .. „	9,408,041
Corn:—	
Wheat ... .. qrs.	4,995
Wheatmeal or Flour ... cwt.	8,167
Cotton:—	
Raw ... .. „	2,235,970
Manufactures not made up ... .. value	£138,928
Dyes and Dyeing Stuffs:—	
Cochineal ... .. cwt.	16,775
Indigo ... .. „	59,365
Lacdye ... .. „	4,066
Logwood ... .. tons	2,189
Terra Japonica ... .. „	699
Cutch ... .. „	1,048
Fruit:—	
Currants ... .. cwt.	97,365
Raisins ... .. „	91,596
Guano ... .. tons	20,243
Hides, Untanned:—	
Dry ... .. cwt.	141,169
Wet ... .. „	110,402
Hops ... .. „	1,935
Leather Manufactures:—	
Gloves ... .. pairs	230,845
Metals:—	
Copper, unwrought and part wrought ... cwt.	73,516
Tin in Blocks, Ingots, Bars, or Slabs ... ..	10,163
Oil:—	
Palm ... .. „	184,211
Cocoa Nut ... .. „	141,459
Olive ... .. tuns	1,406
Quicksilver ... .. lbs.	2,364,414
Rice, not in the husk ... cwt.	1,173,489
Saltpetre ... .. „	28,825
Seed:—	
Flax and Linseed ... qrs.	123,824
Rape ... .. „	119,448
Silk:—	
Raw ... .. lbs.	3,153,993
Waste, Knubs, & Husks cwt.	1,506
Thrown ... .. lbs.	426,866

Silk Manufactures of Europe:—	
Broad Stuffs: Silk or Satin ... .. lbs.	8,743
Broad Stuffs: Gauze, Crape, and Velvet ... ..	959
Ribbons of all kinds ... ..	8,157
Plush for making hats ... ..	140
Silk Manufactures of India:—	
Bandannas, Corahs, Choppas, Tussore Cloths, Romals, and Taffaties ... .. pieces	112,993
Spices:—	
Cassia Lignea ... .. lbs.	619,857
Cinnamon ... .. „	691,846
Cloves ... .. „	709,854
Ginger ... .. cwt.	6,263
Nutmegs ... .. lbs.	64,796
Pepper ... .. „	9,131,827
Pimento ... .. cwt.	24,043
Spirits:—	
Rum ... .. proof galls.	2,428,882
Brandy... .. „	608,099
Geneva... .. „	116,240
Sugar:—	
Unrefined ... .. cwt.	286,333
Refined and Candy ... ..	30,839
Molasses ... .. „	49,972
Tallow ... .. „	9,127
Tea ... .. lbs.	8,388,530
Tobacco:—	
Stemmed ... .. „	221,787
Unstemmed ... .. „	8,149,517
Manufactured, & Snuff ...	1,482,581
Wine:—	
Red ... .. galls.	790,974
White ... .. „	1,437,055
Mixed in Bond ... ..	47,278
Wool:—	
Sheep and Lambs', of British Possessions... lbs.	25,854,041
Foreign ... .. „	4,782,662
Alpaca and the Llama Tribe ... .. „	25,164
Woollen Manufactures, not made up ... .. value	£36,130

AN ACCOUNT of the EXPORTS of the PRINCIPAL and OTHER ARTICLES of  
BRITISH and IRISH PRODUCE and MANUFACTURES, in the YEAR ended  
31st December, 1860.

ARTICLES.	Quantities.	Declared Value.	ARTICLES.	Quantities.	Declared Value.
		£			£
Apparel and Slops:—			Cotton Yarn—cont.		
To British Possessions			Tuscany . . . lbs.	5,114,065	197,030
in South Africa . value £	..	187,690	Papal Territories . .	2,095,932	81,634
Australia . . . "	..	1,189,995	Naples and Sicily . .	8,935,971	354,873
Other Countries . .	..	778,673	Austrian Territories . .	4,347,491	189,764
Beer and Ale:—			Turkey . . . "	19,625,845	738,984
To United States . . barrels	31,991	100,616	China and Hong Kong .	8,784,036	410,416
British East Indies . .	200,728	612,224	British East Indies . .	30,723,214	1,814,804
Australia . . . "	126,343	509,200	Other Countries . .	21,576,849	1,051,517
Other Countries . .	175,557	641,958	Earthenware and Porcelain:—		
Books, Printed . . . cwt.	35,067	494,915	To United States . . value £	..	654,283
Butter . . . . .	124,529	633,280	Brazil . . . . .	..	69,632
Candles, Stearine . . lbs.	4,942,769	238,209	British N. America . .	..	83,512
Cheese . . . . .	28,571	118,850	East Indies . . . "	..	71,445
Coals and Culm:—			Australia . . . . .	..	74,425
To Russia . . . . . tons	256,147	159,892	Other Countries . .	..	497,710
Denmark . . . . .	418,163	166,678	Fish, Herrings:—		
Prussia . . . . .	399,174	155,177	To Prussia . . . . . barrels	155,187	223,966
Hanse Towns . . . .	539,477	210,253	Hanover . . . . .	74,393	108,738
Holland . . . . .	316,768	122,391	Other Countries . .	111,895	144,265
France . . . . .	1,393,330	566,109	Fish, Other Sorts . . value £	..	102,297
Spain and Canaries . .	453,436	226,765	Furniture, Cabinet and		
Turkey . . . . .	196,119	91,237	Upholstery Wares . .	..	221,833
United States . . . .	309,870	192,845	Glass, Flint . . . . . cwt.	79,390	221,452
Other Countries . .	2,966,844	1,420,892	Glass, Window . . . .	33,091	44,928
Cordage and Cables . . cwt.	98,939	179,592	Glass, Common Bottles .	630,742	224,550
Cottons: Calicoes, Cam-			Glass, Plate . . . . . value £	..	62,294
brics, and Muslins,			Haberdaashery and Millin-		
Fustians and Mixed			ery:—		
Stuffs:—			To Egypt . . . . . value £	..	129,516
To Hanse Towns . . yards	65,657,003	1,191,703	United States . . . .	..	1,317,968
Holland . . . . .	36,305,282	656,129	Channel Islands . .	..	186,632
Portugal, Azores, and			British N. America . .	..	556,916
Madeira . . . . .	62,849,018	834,183	West Indies . . . .	..	165,870
Sardinia . . . . .	23,313,044	388,148	Possessions in		
Tuscany . . . . .	26,188,794	382,786	South Africa . .	..	189,270
Naples and Sicily . .	21,653,069	365,105	East Indies . . . .	..	125,516
Austrian Territories .	22,176,826	320,911	Australia . . . . .	..	603,072
Turkey . . . . .	184,698,638	2,769,554	Other Countries . .	..	708,216
Syria and Palestine . .	41,788,177	494,722	Hardwares and Cutlery:—		
Egypt . . . . .	85,699,612	1,045,988	To Russia . . . . . cwt.	23,902	113,282
West Coast of Africa,			Hanse Towns . . . .	87,684	201,863
not particularly			France . . . . .	14,847	113,772
designated . . . . .	28,772,358	461,282	United States . . . .	157,256	1,054,881
United States . . . .	226,657,090	3,848,750	Cuba . . . . .	27,106	71,676
Foreign West Indies .	67,288,368	1,062,965	Brazil . . . . .	32,332	122,576
Mexico . . . . .	12,674,909	231,395	British N. America . .	86,548	167,823
New Granada . . . .	34,000,877	508,089	Possessions in		
Brazil . . . . .	156,151,431	2,300,101	South Africa . .	..	29,961
Buenos Ayres . . . .	52,762,979	825,251	East Indies . . . .	..	50,372
Chili . . . . .	69,050,673	981,263	Australia . . . . .	..	106,032
Peru . . . . .	53,719,241	764,315	Other Countries . .	..	263,177
China and Hong Kong .	222,963,784	3,187,359	Leather, Tanned, Un-		
Java . . . . .	69,804,636	1,057,617	wrought . . . . .	45,925	403,233
Philippine Islands . .	31,192,255	516,567	Leather, Wrought:—		
Gibraltar . . . . .	41,481,948	581,782	To Australia . . . . . lbs.	3,985,859	909,816
British N. America . .	37,371,574	614,783	Other Countries . .	2,517,967	497,741
West Indies . . . .	43,662,838	608,213	Leather, Saddlery, and Har-		
Possessions in			ness:—		
South Africa . .	15,708,381	805,110	To British East Indies value £	..	40,482
East Indies . . .	825,085,237	10,618,094	Australia . . . . .	..	142,400
Australia . . . .	22,463,596	519,548	Other Countries . .	..	125,422
Other Countries . .	194,510,573	3,010,705	Linens (Cloths of all		
Cotton Lace and Patent			kinds and Cambrics):—		
Net . . . . . value £	..	344,156	To Hanse Towns . . yards	10,439,919	302,225
Stockings . . . . . doz. pairs	1,056,793	213,125	United States . . . .	59,988,903	1,893,327
Counterpanes . . . . value £	..	397,423	Cuba . . . . .	10,418,028	241,541
Thread for Sewing . lbs.	6,266,722	740,876	St. Thomas . . . . .	4,085,006	107,373
Cotton Yarn:—			Brazil . . . . .	8,600,326	211,032
To Russia . . . . .	3,148,704	206,460	British West Indies . .	5,118,246	114,776
Prussia . . . . .	12,959,213	630,742	East Indies . . . .	2,521,523	96,069
Hanover . . . . .	2,691,624	157,538	Australia . . . . .	2,732,468	97,339
Hanse Towns . . . .	29,903,969	1,978,025	Other Countries . .	39,653,029	1,270,141
Holland . . . . . lbs.	26,891,041	2,023,234	Linens, Lace of Thread value £	..	11,587
Belgium . . . . .	566,993	40,562	Linen Thread . . . . lbs.	..	339,226

ARTICLES.	Quantities.	Declared Value.	ARTICLES.	Quantities.	Declared Value.
Linen Tapes and small wares . . . value £	..	18,557	Metals (Copper)—cont.		
Linen Yarn:—			Other Countries . . . cwt.	25,049	133,409
To Hanse Towns . . lbs.	8,319,659	603,104	Copper, Sheets and Nails (including Mixed or Yellow Metal):—		
Holland . . . "	3,149,991	167,744	To Hanse Towns . . "	21,383	103,845
Belgium . . . "	911,541	66,042	Holland . . . "	24,106	120,713
Spain and Canaries . . "	9,669,145	448,377	Turkey . . . "	4,900	27,812
Other Countries . . "	9,108,690	515,760	United States . . "	11,549	58,338
Machinery: Steam Engines.—			British East Indies . . "	171,379	908,576
To Russia . . . value £	..	225,097	Other Countries . . "	111,186	584,298
Spain . . . "	..	110,497	Copper, Wrought, or other Sorts . . "	38,551	237,787
British East Indies . . "	..	280,546	Brass of all Sorts . . "	36,642	211,566
Australia . . . "	..	117,176	Lead: Pig, Rolled and Sheet, and Lead Shot:—		
Other Countries . . "	..	497,312	To Russia . . . tons	4,675	106,452
Machinery: Other Sorts:—			France . . . "	1,116	24,197
To Russia . . . "	..	466,447	United States . . "	4,158	89,497
Hanse Towns . . . "	..	172,330	China and Hong Kong . . "	5,170	114,055
Holland . . . "	..	102,068	British East Indies . . "	1,313	81,929
Belgium . . . "	..	113,137	Australia . . . "	1,613	39,445
France . . . "	..	158,028	Other Countries . . "	5,598	125,772
Spain . . . "	..	177,788	Lead Ore, Red and White, and Litharge of Lead	5,917	156,301
British East Indies . . "	..	347,200	Tin, Unwrought . . . cwt.	54,799	263,469
Australia . . . "	..	111,147	Tin Plates:—		
Other Countries . . "	..	946,621	To United States . . value £	..	1,018,055
Metals: Iron, Pig:—			British East Indies . . "	..	15,222
To Prussia . . . tons	19,955	55,989	Australia . . . "	..	19,007
Holland . . . "	46,352	131,791	Other Countries . . "	..	446,396
France . . . "	68,681	201,359	Oil, Seed:—		
United States . . . "	83,404	229,239	To Hanse Towns . . galls.	974,227	111,650
Other Countries . . "	124,175	355,892	Holland . . . "	1,427,541	160,868
Iron, Bar, Bolt, and Rod:—			France . . . "	2,725,517	342,471
To Hanse Towns . . "	8,248	74,337	United States . . "	662,781	74,775
Holland . . . "	7,743	61,850	Other Countries . . "	3,458,189	442,579
France . . . "	5,982	46,405	Painters' Colours . . value £	..	475,810
Sardinia . . . "	10,033	71,303	Pickles and Sauces . . "	..	240,345
Naples and Sicily . . "	13,692	90,417	Plate, Plated Ware, Jewellery, and Watches . . "	..	564,317
Turkey . . . "	9,636	63,857	Salt:—		
United States . . . "	94,173	735,121	To Russia . . . tons	66,420	29,382
British N. America . . "	18,276	140,668	United States . . "	268,083	119,362
" East Indies . . "	38,518	272,082	British N. America . . "	77,128	34,577
Australia . . . "	12,396	105,033	" East Indies . . "	116,754	72,340
Other Countries . . "	92,424	724,883	Other Countries . . "	168,819	91,329
Iron, Railway, of all kinds:—			Silk Manufactures:—		
To Russia . . . "	34,592	308,732	Stuffs, Handkerchiefs, and Ribbons (of Silk only):—		
Sweden . . . "	2,685	21,497	To United States . . lbs.	117,085	124,037
Prussia . . . "	2,533	28,599	Australia . . . "	74,814	117,367
Hanover . . . "	652	4,998	Other Countries . . "	384,931	488,573
Holland . . . "	1,216	11,211	Other Articles (of Silk only) Entered at Value:—		
France . . . "	40	276	To Hanse Towns . . value £	..	62,315
Spain . . . "	47,915	336,559	United States . . "	..	114,590
Austrian Territories . . "	4,712	48,354	Other Countries . . "	..	112,749
United States . . . "	137,734	920,753	Silk Manufactures mixed with other Materials . . "	..	557,480
Cuba . . . "	7,276	51,497	Silk, Thrown:—		
British N. America . . "	8,424	56,408	To Belgium . . . lbs.	26,501	46,019
" East Indies . . "	124,347	1,001,434	France . . . "	181,700	222,008
Australia . . . "	23,571	176,679	Holland . . . "	115,246	142,874
Other Countries . . "	57,780	447,338	Other Countries . . "	101,765	118,512
Iron Wire . . . "	13,916	249,737	Silk, Twist and Yarn:—		
Iron, Cast:—			To France . . . "	255,204	131,970
To Egypt . . . "	190	2,653	Other Countries . . "	201,457	162,908
United States . . . "	1,247	23,430	Soap . . . cwt.	194,988	249,695
Cuba . . . "	2,488	29,949	Soda:—		
Brazil . . . "	3,312	47,925	To United States . . "	1,080,404	526,406
British East Indies . . "	15,309	217,591	Other Countries . . "	964,168	436,100
Australia . . . "	12,321	141,110	Spirits (British):—		
Other Countries . . "	40,074	370,619	To United States . . galls.	424,388	66,233
Iron, Wrought, of all kinds:—			Australia . . . "	259,417	45,105
To Russia . . . "	10,729	163,324	Other Countries . . "	1,374,352	175,213
Prussia . . . "	6,501	75,327	Stationery:—		
Hanse Towns . . . "	7,849	104,442	To British East Indies value £	..	132,374
Holland . . . "	9,639	125,914	Australia . . . "	..	286,941
Spain . . . "	9,480	168,902	Other Countries . . "	..	230,956
United States . . . "	42,390	498,901	Sugar, Refined . . . cwt.	86,009	239,762
British N. America . . "	13,607	171,623	Telegraphic Wire and Apparatus . . . value £	..	250,655
" East Indies . . "	30,412	583,414			
Australia . . . "	18,340	402,049			
Other Countries . . "	64,172	1,020,662			
Iron, Steel, Unwrought:—					
To United States . . "	21,999	653,058			
Other Countries . . "	10,154	333,263			
Copper: Unwrought, in Bricks, Pigs, &c.:—					
To Holland . . . cwt.	9,042	45,901			
Belgium . . . "	10,106	54,304			
France . . . "	95,163	515,533			

ARTICLES.	Quantities.	Declared Value.	ARTICLES.	Quantities.	Declared Value.
Wool, Sheep and Lambs:—		£	Woolens, Entered at Value . . . value £		£
To Belgium . . . lbs.	652,738	48,216	Woolen Stockings . . doz. prs.	272,222	163,669
France . . . "	8,124,147	573,061	Woolens: Worsted Stuffs:—		
Other Countries . . . "	2,895,959	247,404	To Hanse Towns . . . pieces	556,026	957,062
Woolens: Cloths of all Kinds, Duffels, and Kerseymeres:—			Holland . . . "	171,721	258,818
To United States . . . pieces	136,008	631,460	Belgium . . . "	79,564	130,446
Brazil . . . "	33,584	131,971	United States . . . "	785,168	1,091,721
Buenos Ayres . . . "	40,164	235,708	China & Hong Kong . . . "	197,979	418,780
Chili . . . "	19,246	100,590	British N. America . . . "	131,928	174,484
Peru . . . "	23,497	142,027	East Indies . . . "	44,168	80,890
China and Hong Kong . . . "	80,367	410,627	Australia . . . "	92,816	146,400
British N. America . . . "	41,136	175,215	Other Countries . . . "	157,378	839,021
East Indies . . . "	44,506	212,910	Woolen and Worsted Yarn:—		
Australia . . . "	22,593	150,968	To Russia . . . . ewts.	30,290	262,842
Other Countries . . . "	137,935	811,965	Hanover . . . . "	12,485	182,082
Woolens: Mixed Stuffs, Flannels, Blankets, and Carpets:—			Hanse Towns . . . "	122,702	2,061,293
To Hanse Towns . . . yards	4,241,242	264,696	Holland . . . . "	54,763	708,036
France . . . . "	3,321,532	187,410	Belgium . . . . "	14,460	175,112
Naples and Sicily . . . "	1,320,739	73,741	France . . . . "	9,865	233,828
United States . . . . "	52,537,607	2,046,415	Other Countries . . . "	9,173	123,203
Brazil . . . . "	1,260,149	70,723			
British N. America . . . "	4,228,859	207,655	Total declared Value:—		
East Indies . . . . "	1,033,788	61,554	Enumerated Articles . . £	..	126,766,762
Australia . . . . "	3,546,014	233,060	Unenumerated Articles . £	..	9,076,056
Other Countries . . . . "	21,679,524	1,360,349	All Articles . . . . £	..	135,842,817

AN ACCOUNT of the GROSS AMOUNT produced by CUSTOMS DUTIES upon the  
PRINCIPAL ARTICLES of FOREIGN and COLONIAL MERCHANDISE, in the  
YEAR ended 31st DECEMBER, 1860.

Butter . . . . .	£23,881	Rice, not in the Husk . . . . .	£4,824
Caoutchouc, manufactures of . . . . .	720	Silk Manufactures:—	
Cheese . . . . .	7,399	Of Europe . . . . .	13,709
Clocks . . . . .	1,556	Of India . . . . .	181
Cocoa . . . . .	14,505	Of Europe and India indistinctly . . . . .	2,686
Coffee:—		Spices:—	
From British Possessions out of Europe . . . . .	398,452	Cassia Lignea . . . . .	58
From Foreign Countries . . . . .	57,547	Cinnamon . . . . .	36
Corn:—		Cloves . . . . .	232
Wheat . . . . .	295,314	Ginger . . . . .	315
Barley . . . . .	106,103	Mace . . . . .	199
Oats . . . . .	115,416	Nutmegs . . . . .	784
Peas . . . . .	15,876	Pepper . . . . .	93,431
Beans . . . . .	22,044	Pimento . . . . .	112
Indian Corn or Maize . . . . .	92,784	Spirits:—	
Wheatmeal and Flour . . . . .	96,364	Rum . . . . .	1,692,280
Other kinds of Grain and Meal . . . . .	7,145	Brandy . . . . .	721,639
Eggs . . . . .	3,356	Geneva . . . . .	117,520
Embroidery and Needlework . . . . .	1,371	Sugar, Unrefined:—	
Fruits:—		From British Possessions in America . . . . .	2,204,682
Currants . . . . .	233,897	From Mauritius . . . . .	625,049
Figs . . . . .	25,620	From British Possessions in the East Indies . . . . .	532,565
Lemons and Oranges . . . . .	14,511	From Foreign Countries . . . . .	2,357,240
Raisins . . . . .	103,196	Sugar, Refined, & Sugar Candy:—	
Hops . . . . .	9,672	From British Possessions out of Europe . . . . .	554
Leather Manufactures:—		From Foreign Countries . . . . .	243,341
Boots, Shoes, and Goloshes . . . . .	539		
Boot Fronts . . . . .	544		
Gloves . . . . .	21,705		

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Sugar, Molasses:—		Firewood ... ..	£6,139
From British Possessions out		Lathwood ... ..	4,179
of Europe ... ..	£62,006	Tobacco:—	
From Foreign Countries ...	68,636	Stemmed ... ..	2,902,827
Tallow ... ..	7,893	Unstemmed ... ..	2,626,572
Tea ... ..	5,444,147	Manufactured and Snuff ...	144,654
Timber and Wood:—		Watches ... ..	2,448
Not sawn, or split, or otherwise		Wine:—	
dressed, except hewn:—		From British Possessions ...	62,045
From British Possessions .	28,823	Foreign ... ..	1,112,058
Foreign ... ..	57,380	Woollen Manufactures wholly or	
Deals, Battens, Boards, or other		in part made up ... ..	789
Timber or Wood, sawn or		Yarn, Worsted, Dyed, or Coloured,	
split:—		or fit for Embroidery or other	
From British Possessions .	68,405	Fancy Purposes ... ..	353
Foreign ... ..	139,526	Other Articles ... ..	150,920

AN ACCOUNT of the GROSS and NET PRODUCE of the DUTIES of CUSTOMS, in  
the YEAR ended 31st DECEMBER, 1860.

Gross Produce of Customs Duties ... ..	£23,165,764
Payments out of Gross Produce; for—	
Drawbacks ... ..	247,635
Allowances on Quantities Over Entered, Damages,	
&c. ... ..	65,746
Total ... ..	£313,381
Total Net Produce of Customs Duties ...	£22,852,383

AN ACCOUNT of the QUANTITIES of certain PRINCIPAL ARTICLES of Imported  
Merchandise (subject to Duties of Customs) remaining in the BONDED  
WAREHOUSES of the United Kingdom on the 31st December, 1860.

Cocoa ... .. lbs.	3,674,916	Melasses ... .. cwts.	110,741
Coffee ... .. „	25,225,356	Tea ... .. lbs.	66,302,900
Fruit:—		Tobacco:—	
Currants ... .. cwts.	297,237	Unmanufactured ... ..	63,073,434
Raisins ... .. „	41,304	Manufactured and Snuff „	1,345,125
Spices:—Pepper ... .. lbs.	6,188,345	Wine:—	
Spirits:—		From British Possessions, galls.	832,630
Rum ... .. proof gallons	6,565,802	„ Holland ... .. „	203,532
Brandy ... .. „	3,260,485	„ France ... .. „	1,621,622
Sugar:—		„ Portugal and Madeira „	4,021,820
Refined and Candy ... .. cwts.	91,237	„ Spain and the Canaries „	5,194,833
Unrefined, 1st Quality „	25,704	„ Naples and Sicily „	179,191
„ 2nd do. „	686,303	„ Other Countries „	499,947
„ 3rd do. „	907,610	Mixed in Bond ... .. „	625,915

**AN ACCOUNT of the DECLARED VALUE of BRITISH and IRISH PRODUCE  
and MANUFACTURES EXPORTED from the UNITED KINGDOM to each  
FOREIGN COUNTRY and BRITISH POSSESSION in the YEAR ended 31st  
DECEMBER, 1860.**

**FOREIGN.**

Russia, Northern Ports ... ..	£2,886,839	African Ports on the Red Sea ...	£903
" Southern Ports ... ..	380,893	Cape Verd Islands ... ..	16,097
Sweden ... ..	549,660	Bourbon ... ..	351
Norway ... ..	495,091	Persia ... ..	31,586
Denmark (including Iceland) ...	729,877	French Possessions in India—	
Prussia ... ..	1,864,593	Pondicherry ... ..	1,408
Mecklenburg ... ..	61,523	Siam ... ..	13,202
Hanover ... ..	1,107,250	Java ... ..	1,413,915
Oldenburg ... ..	73,957	Philippine Islands ... ..	674,235
Hanse Towns ... ..	10,364,422	Other Islands of the Indian Seas	19,033
Holland ... ..	6,113,898	China (exclusive of Hong Kong)	2,871,849
Belgium ... ..	1,611,899	Russian Territory in North East-	
France ... ..	5,249,681	ern Asia ... ..	600
Portugal Proper ... ..	1,699,619	South Sea Islands ... ..	33,972
" Azores ... ..	87,763	Foreign West Indies (including	
" Madeira ... ..	60,253	Hayti) ... ..	2,669,968
Spain ... ..	2,475,587	United States of America:—	
" Canary Islands ... ..	131,215	Ports on the Atlantic ... ..	21,018,500
Sardinia ... ..	1,867,228	Ports on the Pacific ... ..	594,611
Tuscany ... ..	1,034,052	Mexico ... ..	462,629
Papal States ... ..	293,178	Central America ... ..	182,186
Two Sicilies ... ..	1,321,210	New Granada ... ..	810,870
Austrian Territories ... ..	993,634	Venezuela ... ..	323,663
Greece ... ..	343,548	Ecuador ... ..	74,139
Turkey ... ..	4,408,649	Brazil ... ..	4,444,512
Wallachia and Moldavia ... ..	172,862	Uruguay ... ..	922,367
Syria and Palestine ... ..	655,297	Buenos Ayres ... ..	1,782,399
Egypt (Ports on the Mediterranean)	2,479,719	Chili ... ..	1,703,783
Tunis ... ..	3,580	Peru ... ..	1,381,944
Algeria ... ..	43,754	Greenland and Davis' Straits ...	105
Morocco ... ..	171,209		
Western Coast of Africa (Foreign)	966,981		
Eastern Coast of Africa ... ..	2,812	Total to Foreign Countries ...	£92,170,560

**BRITISH POSSESSIONS.**

Heligoland... ..	£275	Andaman Islands... ..	£929
Channel Islands ... ..	655,699	Hong Kong ... ..	2,446,579
Gibraltar ... ..	1,159,382	Australia:—	
Malta and Gozo ... ..	704,087	West Australia ... ..	98,884
Ionian Islands ... ..	345,167	South Australia ... ..	811,048
Western Coast of Africa (British)	340,311	New South Wales ... ..	2,429,893
British Possessions in South Africa:—		Queen's Land (Moreton Bay)	53,297
Cape of Good Hope ... ..	1,827,093	Victoria ... ..	5,378,083
Natal ... ..	236,933	Tasmania ... ..	367,527
Ascension ... ..	8,685	New Zealand... ..	568,767
St. Helena ... ..	46,312	British North American Colonies	3,737,574
Mauritius ... ..	538,835	British West India Islands ...	1,844,715
Aden ... ..	45,297	British Guiana ... ..	569,696
British Territories in the East		Falkland Islands ... ..	5,306
Indies (exclusive of Singapore		Honduras (British Settlements)	142,591
and Ceylon) ... ..	16,964,045		
Singapore ... ..	1,671,110	Total to British Possessions ...	£43,672,257
Ceylon ... ..	671,624	Total to Foreign Countries }	
Labuan ... ..	2,583	and British Possessions }	£135,842,817

AN ACCOUNT of the COMPUTED REAL VALUE of the IMPORTS and EXPORTS  
of GOLD and SILVER BULLION and SPECIE registered in the YEAR  
ended 31st DECEMBER, 1860.

## IMPORTS.

COUNTRIES FROM WHICH IMPORTED.	GOLD.	SILVER.	TOTAL.
	£	£	£
Russia, Northern Ports ... ..	165,468	...	165,468
Hanse Towns ... ..	26,417	393,300	419,717
Holland ... ..	7,675	2,496	10,171
Belgium ... ..	25,402	569,854	595,256
France ... ..	341,177	3,698,019	4,039,196
Portugal ... ..	2,402	249,872	252,274
Spain ... ..	6,604	301	6,905
Gibraltar ... ..	5,094	22,296	27,390
Malta ... ..	21,513	16,872	38,385
Turkey ... ..	1,924	...	1,924
Egypt ... ..	12,322	2,088	14,410
West Coast of Africa ... ..	91,131	10,191	101,322
Australia ... ..	6,719,000	857	6,719,857
British Columbia ... ..	7,000	...	7,000
Mexico, South America, and West Indies ...	1,179,958	4,525,309	5,705,267
United States ... ..	3,917,755	874,827	4,792,582
Other Countries ... ..	53,842	27,230	81,072
Total ... ..	12,584,684	10,393,512	22,978,196

## EXPORTS.

COUNTRIES TO WHICH EXPORTED.	GOLD.	SILVER.	TOTAL.
	£	£	£
Hanse Towns ... ..	22,067	375,312	397,379
Holland ... ..	10,329	124,584	134,913
Belgium ... ..	118,808	92,607	211,415
France ... ..	10,400,604	914,742	11,315,346
Portugal ... ..	602,145	331	602,476
Spain ... ..	755,022	1,042	756,064
Turkey ... ..	109	...	109
Egypt (in transit to India and China) ...	1,301,886	8,124,236	9,426,122
British Possessions in South Africa ... ..	50,619	...	50,619
Danish West Indies ... ..	21,349	28,821	50,170
United States ... ..	1,724,008	3,212	1,727,220
Brazil ... ..	357,099	167,213	524,312
Chili ... ..	95	...	95
Other Countries ... ..	277,438	61,090	338,528
Total ... ..	15,641,578	9,893,190	25,534,768

## PATENT LAW.

*Report of the Commissioners of Patents for Inventions for 1859. (317.)*

THE Commissioners of Patents appointed under the Patent Law Amendment Act, 1852 (15 and 16 Vict. c. 83), in compliance with the terms of the third section of that Act, make the following report of their proceedings under and in pursuance of the same for the year 1859, in continuance of their report of proceedings for 1858 :—

The number of applications for provisional protection recorded within the year 1859 was 3,000; the number of patents passed thereon was 1,976; the number of specifications filed in pursuance thereof was 1,897; the number of applications lapsed or forfeited, the applicants having neglected to proceed for their patents within the six months of provisional protection, was 1,024.

The Act 16 Vict. c. 5 enacts that all letters patent for inventions to be granted under the provisions of the Patent Law Amendment Act, 1852, shall be made subject to the condition that the same shall be void at the expiration of three years and seven years respectively from the date thereof, unless there be paid, before the expiration of the said three years and seven years respectively, the stamp duties in the schedule thereunto annexed, viz. 50*l.* at the expiration of the third year, and 100*l.* at the expiration of the seventh year. The patent is granted for fourteen years. Two thousand patents bear date between the 1st October, 1852, and the 20th June, 1853 (being the first 2,000 passed under the provisions of the Patent Law Amendment Act, 1852). The additional progressive stamp duty of 50*l.* was paid, at the end of the third year, on 604 of that number, and 1,396 became void. The additional progressive stamp duty of 100*l.* was paid at the end of the seventh year on 207 of the 604 patents remaining in force at the end of the third year, and 397 became void. Consequently, nearly 70 per cent. of the 2,000 patents became void at the end of the third year, and nearly 90 per cent. became void at the end of the seventh year. All the provisional, complete, and final specifications filed in the office upon the patents granted under the Act since 1852 have been printed and published in continuation, with lithographic outline copies of the drawings accompanying the same, according to the provisions of the Act 16 and 17 Vict. c. 115. The provisional specifications filed in the office and lapsed and forfeited, have also been printed and published in continuation. Printed certified copies of the specifications filed in the office, as also certified copies of patents, and of the record book of assignments of patents and licences, with copies of such assignments and licences, have been sent, in continuation, to the office of the Director of Chancery in Edinburgh, and the Enrolment Office of the Court of Chancery in Dublin, pursuant to the Act of 1852 and the Act of 16 and 17 Vict. c. 115.

The work of printing the specifications of patents under the old law, 12,977 in number, and dating from 1711 to 1852, having been completed, short abstracts or abridgments of specifications, grouped under the different heads of invention, are being prepared, and many have been published; for example, abridgments of the specifications of patents relating to the propulsion of vessels, commencing in the year 1618 and ending 1857, nearly 1,000 inventions, have been published in one small volume at the price of 4*s.*



Abridgments relating to the following subjects of invention have also been published, and are sold at the cost of printing and paper, and the booksellers' per-centage:—Drain tiles and pipes; manufacture of iron and steel; manures; sewing and embroidering; preservation of food; aids to locomotion; steam culture; marine propulsion; watches, clocks, and time-keepers; fire-arms and other weapons; ammunition and accoutrements; paper, pasteboard, papier-mâché cards, paper-hangings, &c.; typographic, lithographic, and plate printing; bleaching, dyeing, and printing yarns and fabrics; electricity and magnetism, their generation and application; manufacture and application of india-rubber, gutta-percha, air, fire, and water proofing. Other series are in the press, and it is intended to publish at the rate of eight or ten series in each year, completing the work in five or six years.

In a report on the subject of the building of a Patent Office, public library, and museum, transmitted to her Majesty's Treasury, the Commissioners showed that in the year 1855 they established a free public library within their office, containing works of science in all languages, the publications of the Commissioners, and the works upon patented and other inventions published in the British colonies and in foreign countries. That this library greatly increased and continued to increase, partly by purchases, but in a great measure by gifts and loans of valuable and useful books. It was resorted to at the first opening by inventors, engineers, and mechanics, as well as by barristers, solicitors, and agents engaged in patent business; it became a collection of great interest and importance, and the number of readers gradually so much increased that at this time convenient standing room could not be found in the two small rooms within the office which can be appropriated to the library. It was the only library within the United Kingdom in which the public have access not only to the records of the patents and inventions of this country, but also to official and other documents relating to inventions in foreign countries, and this without payment of any fee.

That a largely increased accommodation was urgently required. No suitable building could be found in the immediate neighbourhood of Southampton Buildings, either to be rented or for purchase. The new offices to be provided must be fire-proof, for the preservation of the original specifications and other records of the office; the offices now occupied are fire-proof throughout.

That the Commissioners were in possession of a collection of very valuable and interesting models of patented machines and implements, as also of portraits of inventors, many of them gifts, and others lent by the owners for exhibition. They were now exhibited daily, and gratuitously, in a portion of the Museum at Kensington assigned to the Commissioners of Patents for that purpose by the Lords of the Committee of Privy Council for Trade. A museum of this nature necessarily increases, and the number of models now exhibited may be considered as forming only the foundation of a great national museum. The great work of printing the old specifications of patents, with the drawings attached thereto, inrolled in Chancery under the old law, dating from 1623 to 1852, and 12,977 in number, was commenced in September, 1853, and fully completed in July last (1858). All have been fully indexed in series and subjects, and the indexes printed and published. These prints of specifications form about 900 volumes (450 imperial octavo volumes of drawings, and the like number of imperial octavo

volumes of letter-press). The indexes form seven imperial octavo volumes. The cost of these valuable works has necessarily been great, amounting to 92,000*l*. That notwithstanding this great outlay, the balance-sheet of income and expenditure for the year 1857, prepared for the annual report of the Commissioners, and laid before Parliament, shows a surplus income from the commencement of the Act, 1st October, 1852, to the end of 1857, of 6,000*l*. That the balance-sheet of income and expenditure for the year 1858 will increase the total surplus to 12,000*l*. or 13,000*l*.; and that as the work of printing the old specifications was completed, as above stated, the expenditure on that head ceases altogether, and consequently the surplus income of the year 1859 was estimated at 31,000*l*.; adding this sum to the available surplus of 12,000*l*., as above stated, and allowing a margin of 3,000*l*., 40,000*l*. may be safely estimated as the sum available for building purposes at the end of the year 1859.

The Commissioners then entered on the probable revenue of the office in future years, and showed that the surplus will increase at the rate of 20,000*l*. a year. This surplus the Commissioners were of opinion might be beneficially applied in the purchase of ground in a central situation, and in the erection thereon of a sufficiently spacious fire-proof building for the Patent Offices and public free library attached thereto; and in the purchase of ground and the erection thereon of a permanent and spacious building for the Patent Office Museum, sufficient ground being taken for the extension of the building, from time to time, as may be required. This was the more necessary inasmuch as models of the most interesting and valuable description lie scattered over the kingdom, in many instances constructed at a great expense, for legal and other purposes, for which the owners have no present use, and many of which occupy a space inconvenient to them. These models, or many of them, would, as the Commissioners confidently expect and believe, be presented or intrusted to them for exhibition in such museum, provided the public are allowed free access to it at all reasonable times. The Patent Office is the place of constant, daily, and hourly resort of patentees, agents, and all others concerned in obtaining patents, and in ascertaining what discoveries and improvements have already been made. It should be conveniently placed with reference to the courts of law, the Government offices, and the offices of the Attorney and Solicitor General.

With respect, however, to the proposed new museum, the Commissioners of Patents were of opinion that the same reasons for a central position do not exist, and that it might be placed upon any spot easily accessible to the inhabitants of the metropolis, and that the place in which the models are now exhibited would be an eligible position, sufficient ground being there purchased or assigned for the purpose. A large space would be required for the building in the first instance, and a larger extent must be provided for its future extension; and sufficient ground cannot be found in the centre of the town for a building of the extent required, unless at an enormous cost.

The Commissioners were anxious to establish a library in conjunction with the museum, showing the patents already granted by foreign governments, and those which from time to time are so granted; and, from the facilities afforded by foreign governments, the Commissioners have every reason to believe that this may be accomplished without difficulty.

The Commissioners of Patents, therefore, requested the Commissioners of her Majesty's Treasury to sanction the application of a sufficient portion of the surplus now derived from the fees paid on patents for the purpose of

accomplishing the objects above mentioned, and that, with this view, their lordships would give the necessary directions to her Majesty's Board of Works to obtain a proper site for the proposed new Patent Office and library, to be selected with the approbation of the Commissioners of Patents and with the sanction of the Lords Commissioners of her Majesty's Treasury, and also to prepare the necessary plans, elevations, and specifications for this purpose, also to be submitted to the Commissioners of Patents for their approval, and to make contracts for the building of the same when approved. If their lordships consented to these proposals, the Commissioners of Patents requested that a sufficient sum for the purpose, so far as the same might be required for the year 1858-9, might be included in the estimate to be laid before Parliament in the present session for Patent Office expenses.

The Commissioners, in this report, stated that the above report, first transmitted to the Treasury in April, 1858, was referred by the Treasury to her Majesty's Board of Works, with instructions to provide a convenient site for the proposed new offices and library, and to prepare plans and estimates to be laid before Parliament. A site was found last year (1859) at the northern extremity of the gardens of Burlington House, and plans and estimates were prepared, being a portion of a design for the appropriation of the whole of Burlington House gardens for various public buildings. This plan has, however, been abandoned, or suspended by the Government, and no other site has been found for the Patent Office buildings.

It was intended to make the Patent Office museum an historical and educational institution for the benefit and instruction of the skilled workmen employed in the various factories of the kingdom, a class which largely contributes to the surplus fund of the Patent Office in fees paid upon patents granted for their valuable inventions. Exact models of machinery in subjects and series of subjects, showing the progressive steps of improvement in the machines for each branch of manufacture, are to be exhibited; for example, it was intended to show, in series of exact models, each important invention and improvement in steam propellers, from the first engine that drove a boat of two tons burthen to the gigantic machinery of the present day, propelling the first-rate ship-of-war or of commerce. The original small experimental engine that drove the boat of two tons' burthen, above referred to, is now in the museum, and is numbered one in the series of models of propellers. The Commissioners were in possession of a large number of valuable models, remaining in their cases, for the reason that room cannot be found for exhibition in the very small space assigned to them in the museum at Kensington; they were also, and for the same reason, obliged to postpone the acceptance of many valuable models offered as gifts by manufacturers and inventors. The public library at the Patent Office was in the same condition: the books daily increase in number, and many remain in cases, for the reason that shelf room cannot be found, much less room for the readers. The surplus of the fee fund applicable to building purposes amounted, at the end of 1859, to 46,000*l.* (*vide* balance-sheet); it will, undoubtedly, amount to 70,000*l.* at the end of the current year (1860).

No alteration was made within the year 1859 in the allowance of fees to be paid to the law officers and their clerks in cases of opposition to the grant of letters patent under the 47th section of the Act, or in the allowance of fees to be paid to them upon certificates of provisional protection under the 48th section of the Act.

The payments made to the Attorney and Solicitor General for England, and their respective clerks, for the year 1859, on account of fees upon patents for inventions, in pursuance of the report of the Commissioners of Patents to the Lords of the Treasury, of the 1st May, 1853, amounted as follows:—To Sir Fitzroy Kelly, her Majesty's Attorney-General, for certificates of allowance of protection on provisional specifications, for flats on reference of complete specifications, and for signing warrants, 2,097*l.* 18*s.*; to the clerk of the Attorney-General on provisional and complete specifications, 187*l.* 15*s.*; to Sir Hugh M<sup>c</sup>Calmont Cairns, her Majesty's Solicitor-General, for certificates of allowance of protection, &c., 2,095*l.* 16*s.*; to the clerk of the same, 189*l.* 10*s.*; to Sir Richard Bethell, her Majesty's Attorney-General, for like fees, 2,110*l.* 10*s.*; to the clerk of the same, 188*l.* 5*s.*; to Sir Henry Singer Keating, her Majesty's Solicitor-General, 1,904*l.* 14*s.*; to the clerk of the same, 165*l.* 15*s.*; to Sir William Atherton, her Majesty's Solicitor-General, 200*l.* 11*s.*; and to the clerk of the same, 19*l.* 5*s.*: total fees, 9,159*l.* 19*s.* The compensation in pursuance of several awards and minutes of the 50th section of the Act amounted to 4,584*l.* The current and incidental expenses amounted to 5,501*l.* 18*s.* 8*d.*, including 3,157*l.* 14*s.* 8*d.* paid for copying. The stamp duties amounted to 95,122*l.* 5*s.* 4*d.*

The compensations in pursuance of several awards and minutes of the Lords Commissioners of the Treasury, under the provisions of the 50th section of the Act, amounted to 4,584*l.*

The balance-sheet of income and expenditure, for the year 1859, showed a receipt on stamp duties, 95,122*l.* 5*s.* 4*d.*; and by sale of prints of specifications, indexes, &c., 1,682*l.* 3*s.* 1*d.* Surplus income on balance of accounts from the 1st of October, 1852, to the end of the year 1858, 13,819*l.* 16*s.* 8*d.*: total, 110,624*l.* 5*s.* 1*d.* The payments amounted to 64,123*l.* 6*s.* 3*d.*, leaving a surplus income of 46,500*l.* 18*s.* 10*d.* The report was signed by Lord Chancellor Campbell; Sir John Romilly, Master of the Rolls; Sir Richard Bethell, Attorney-General; and Sir William Atherton, Solicitor-General.

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AGRICULTURAL STATISTICS.

*Observations on the Agricultural Statistics of Ireland for the year 1859.*

PART I.—*Tillage*.—20,274,854 acres were returned as in the possession of landholders at the time of the collection of the agricultural statistics in 1859, being 15,532 acres above the extent held in 1858, which amounted to 20,259,322 acres. The area of Ireland was divided as follows, according to the returns received, in 1858 and 1859:—Under crops, including meadow, 5,862,605 acres; under grass or pasture, 9,490,922 acres; under fallow or uncropped arable land, 38,725 acres; under woods and plantations, 318,874 acres; under bog and waste, &c., 4,563,728 acres. As compared with 1858 the areas under grass increased by 136,805 acres, and the area under plantations increased by 5,603 acres, whilst fallow and waste lands diminished 157,429 acres.

The acreage under each crop in 1859 was as follows:—Wheat, 464,175 acres; oats, 1,982,662 acres; barley, 177,894 acres; bere, 3,751 acres; rye, 9,447 acres; beans, 13,315 acres; pease, 1,536 acres; potatoes,

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1,200,347 acres; turnips, 322,137 acres; mangel wurzel, 26,906 acres; beet root, 148 acres; carrots, 10,205 acres; parsnips, 429 acres; cabbage, 31,680 acres; vetches, 16,136 acres; other green crops, 11,337 acres; flax, 136,282 acres; rape, 17,107 acres; meadow and clover, 1,437,111 acres: total extent under crops, 5,862,605 acres.

The proportionate area under each crop in 1859:—Wheat, 7·9 acres; oats, 33·8 acres; barley, 3·0 acres; bere, 0·1 acres; rye, 0·2 acres; beans, 0·2 acres; pease, 0·02 acres; potatoes, 20·5 acres; turnips, 5·5 acres; mangel wurzel, 0·5 acres; carrots, 0·2 acres; parsnips, 0·007 acres; cabbage, 0·5 acres; vetches, 0·3 acres; other green crops, 0·2 acres; flax, 2·3 acres; rape, 0·3 acres; meadow and clover, 24·5 acres: total, 100 acres.

Wheat continues to decline in cultivation, 82,789 acres less having been grown in 1859 than in 1858. The oat crop shows a slightly enlarged area; but barley, bere, and rye continue to decrease in extent. Potatoes increased by 40,640 acres, whilst turnips show a diminution of 16,065. Mangel wurzel, parsnips, cabbage, vetches, and other green crops, also exhibit a decrease. The acreage under flax was above one-third more in 1859 than in the previous year, the increase being 44,636 acres. Rape and meadow also show a larger area in 1859.

The proportionate area under each crop undergoes but little change from year to year; thus, in 1858, the relative area under the three chief crops grown in Ireland—oats, potatoes, and hay—was, respectively, 33·7, 19·7, and 24·2 acres (or, collectively, 77·6) in every 100 acres under cultivation; and in 1859, of oats there were 33·8 acres, of potatoes 20·5 acres, and of hay 24·5 acres (or, collectively, 78·8 acres) in every 100 under crops; leaving, in the latter year, only 21·2 acres in each 100 to wheat, barley, turnips, cabbage, flax, and other crops.

In 1859 there were under cereal crops 2,652,780 acres; green crops, 1,619,325 acres; meadow, 1,437,111 acres; flax, 136,282 acres; rape, 17,107 acres; with the exception of 1858, there has been a larger total extent under crops in 1859 than in any year since 1853. There was a decrease in the extent of cereal crops in 1859, compared with the previous year, in every province, chiefly caused by a smaller acreage under wheat. This crop gradually declined in area from 1847 until the period of the Russian war in 1854, when it began to be somewhat more extensively grown, until 1857, since which time the tendency to cultivate it seems to have diminished. This will be seen from the following figures, showing the acreage under wheat from 1847 to 1859:—In 1847, 743,871 acres; 1848\*, 1849, 687,646 acres; 1850, 604,867 acres; 1851, 504,248 acres; 1852, 353,566 acres; 1853, 326,896 acres; 1854, 411,284 acres; 1855, 445,775 acres; 1856, 529,050 acres; 1857, 559,646 acres; 1858, 546,964 acres; 1859, 464,175 acres.

It will be observed that in 1859 potatoes increased in extent in every province, and they will probably continue to be the favourite crop in Ireland, so long as the farms are in general so small. The average size of the holdings under tillage in 1859—omitting the farms under one acre in extent—was only about ten acres, and it is not to be expected that the profit to the small holder, from a more extended cultivation of turnips and mangold, would equal the profit from a good crop of potatoes. The small farmer cannot feed his family upon turnips, as he does on potatoes, neither

\* Incomplete, owing to the disturbed state of the country.

can he fatten his pig, nor keep his poultry with turnips; it does not, therefore, seem probable that much impulse can be given to the growth of turnips, mangold, &c., in place of potatoes, so long as the majority of the holdings is so small as at present.

In 1859 the growth of flax increased in every province except Munster, in which there was a slight decrease. Rape—a crop but little grown—also increased, except in Ulster, where it diminished by forty-two acres. Meadow decreased by 385 acres in Leinster, but increased in the other provinces, especially in Ulster, which had 11,962 acres more under hay in 1859 than in the previous year.

The grazing lands being another important source of prosperity to the country, it will be interesting to give the proportionate area of pasture land (excluding meadow) in the several counties and provinces.

The entire area of the several provinces used for grazing in 1859 was as follows:—Leinster, 4,837,676 acres; Munster, 5,934,787 acres; Ulster, 5,311,298 acres; Connaught, 4,233,194 acres.

Of the several provinces in 1859, Munster had the largest proportion of the entire area (50·9 acres in every 100) devoted to pasture land; Leinster was next highest (49 acres per cent.), followed by Connaught (46·6 per cent.), and Ulster (40 per cent.) Of the counties, Meath has the greatest relative area under pasture—58·2 acres in every 100 being devoted to the feeding of stock. Following it are Fermanagh, which had 56·6 per cent. of pasture land; Limerick, 56·3; Westmeath, 55·8; Clare, 55·1; Tipperary, North Riding, 54·9; Roscommon, 53·2; Antrim, 53; Leitrim, 52·8; and Kilkenny, 52·5 per cent. Louth had the least relative extent under grass, the proportion being 28·4 acres in every 100; Armagh had 29·9 acres; Down, 31·0; Tyrone, 34·3; Donegal, 34·6; Mayo, 37·4; Londonderry, 37·6; and Dublin, 39·2 acres in every 100 under grass. The remaining counties fluctuated between 41 and 53 acres of grass-land to every 100 of their respective areas.

*Classification of Holdings.*—The total number of holdings in Ireland in 1859 was 598,413, being a decrease of 765, compared with the previous year. The small farms up to fifteen acres diminished, and those above that extent, with the exception of holdings of 500 acres and upwards (which decreased by seven), increased in number in 1859, as shown in the following summary:—Not exceeding 1 acre, 37,506; above 1 and not exceeding 5 acres, 82,647; above 5 and not exceeding 15 acres, 180,993; above 15 and not exceeding 30 acres, 139,659; above 30 and not exceeding 50 acres, 72,333; above 50 and not exceeding 100 acres, 53,678; above 100 and not exceeding 200 acres, 21,603; above 200 and not exceeding 500 acres, 8,409; above 500 acres, 1,585; total, 598,413.

The counties which show an increased number of holdings in 1859, were Cavan (181); Clare (414); Cork (57); Donegal (765); Galway (50); Kildare (60); Leitrim (205); Londonderry (589); Mayo (57); Sligo (249); Tyrone (342); and Waterford (56). The small farms grow cereal and green crops in much higher proportion than the large ones. Thus 44·34 acres in every 100 were under corn, beans, and pease, on holdings "above 1 to 5 acres" in extent, whilst on farms above 500 acres the proportion was 30·79 acres in every 100. The smallest farms grew the greatest relative extent of green crops, whilst the largest grew a comparatively small proportion. On the holdings above 500 acres, there was a larger proportion of turnips grown than of potatoes; and as the farms diminish in size the

proportion of them under potatoes increases, and that under turnips decreases. Cereals are grown in largest proportion on farms of "from 5 to 30 acres," and potatoes on those from 1 to 15 acres. Nearly one half of the farms above 500 acres are under meadow, and as the holdings decrease in size, so does the proportionate area under hay and clover. Of the 5,842,403 acres under tillage on all farms above 1 acre, those from 5 to 15 acres occupied 913,169 acres of the entire area of Ireland; those from 15 to 30 acres occupied 1,296,315 acres of the entire area of Ireland; those from 30 to 50 acres occupied 1,067,203 acres of the entire area of Ireland; those from 50 to 100 acres occupied 1,189,729 acres of the entire area of Ireland.

In 1859, there were in Ireland 629,075 horses, 19,304 mules, 169,354 asses, 3,815,598 cattle, 3,592,804 sheep, 1,265,761 pigs, 219,346 goats, and 10,251,749 poultry;—valued respectively at 8*l.* each horses and mules, 1*l.* asses, 6*l.* 10*s.* cattle, 1*l.* 2*s.* sheep, 1*l.* 5*s.* pigs, 7*s.* 6*d.* goats, 6*d.* poultry—representing a total value of 36,030,595*l.*

PART III.—*Scutching Mills*.—The number of scutching mills in the several counties and provinces in 1859, classified according to the number of stocks in each mill, was as follows:—17 in Leinster, 10 in Munster, 990 in Ulster, and 5 in Connaught; and the power employed in working these mills was as follows:—1 manual labour, 925 water mills, 56 steam mills, 12 water and steam mills, 4 horse mills, and 24 wind mills.

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#### LOCAL TAXATION.

*Return showing the Amount annually collected by Rates, Tolls, and Dues in England and Wales, Scotland, and Ireland, so far as the same can be ascertained from existing Returns. (Mr. Clive.) 2nd April, 1860. (204.)*

In England and Wales, the local taxes were as follows:—Poor's rate (with which are collected county, police, and borough rates), 1858, 8,188,880*l.*; church rate (average of seven years), 263,710*l.*; (additional voluntary contributions, 269,550*l.*; highway rate (including paving, &c., under local Acts), 1857, 1,949,837*l.* Metropolis Local Management Act:—Rates levied by general board, 159,886*l.*; rates levied by the parishes and district boards, not ascertained; Local Government Act and Boards of Health (in addition to highways), not ascertained; sewers rates, under 3 and 4 Will. IV. c. 22, not ascertained; Local Drainage Acts, Bedford Level, Norfolk, Lincoln, &c., not ascertained; Lighting, &c., Act, 3 and 4 Will. IV. c. 90, not ascertained; turnpike tolls, 1856, 1,051,050*l.*; bridge tolls, not ascertained; ferries, not ascertained; market tolls and dues, not ascertained; port dues, not ascertained: total, 11,613,363*l.*

In Scotland, by parochial boards (from returns obtained from the board of supervision):—Under Poor Law Act, 622,100*l.*; Burial Grounds Act, 1,819*l.*; Lands Valuation Act, 2,704*l.*; Registration Act, Births, Marriages, and Deaths, 10,240*l.*; Nuisances Removal Act, 1,462*l.*: total, 638,325*l.* By counties and burghs (from returns obtained from the Lord Advocate):—Rogue money, 16,122*l.*; police force, lighting, and cleansing, 214,925*l.*; prison assessments, 32,241*l.*; road assessments and paving rates, 100,314*l.*; Lands Valuation Act, 7,661*l.*; registration of births, &c., 6,545*l.*; registration of voters, 3,141*l.*; Nuisances Removal Act, 726*l.*; annuity tax

(clergy), 15,017*l.*; militia stores, 12,305*l.*; general municipal expenses, 28,291*l.*: total, 437,288*l.* Turnpike tolls (from Home Office returns), 209,867*l.*; statute labour roads, not ascertained: grand total, 1,285,480*l.*

In Ireland (from returns obtained from the Lord Lieutenant):—Grand jury cess, 991,083*l.*; poor rate, 526,877*l.*; rates under Towns Improvement Act, 10,813*l.*; rates under Municipal Corporation Act, 3 and 4 Vict. c. 108, 2,409*l.*; rates under Lighting, Watching, &c., Act, 9 Geo. IV. c. 82, 4,215*l.*; rates under local Acts, 194,286*l.*: total, 1,729,683*l.*

*Summary.*—In England and Wales, 11,613,363*l.*; in Scotland, 1,285,480*l.*; in Ireland, 1,729,683*l.*; in the United Kingdom, light dues, 1859, 273,570*l.*: total, so far as the same has been ascertained, 14,902,096*l.*

## MISCELLANEOUS EXPENDITURE.

*Report from the Select Committee appointed to inquire into the Expenditure for Miscellaneous Services, and to report to the House whether any reduction can, in their opinion, be effected in that Branch of the Public Expenditure.*

THE Committee was appointed on the 29th March, 1860, and on the 3rd April the following members were nominated:—Lord Harry Vane, Mr. Adderley, Mr. Laing, Sir Stafford Northcote, Sir Robert Peel, Mr. Ker Seymer, Mr. Bright, Sir Henry Willoughby, Mr. Baxter, Mr. Deedes, Sir John Shelley, Mr. Corry, Mr. Augustus Smith, Mr. Phillips, and Mr. Wise. The Committee sat fourteen days, and examined the following witnesses:—Mr. Samuel Laing, M.P.; Messrs. William George Anderson and Spencer Shelley, clerks in the Treasury; Mr. Charles Long Crafer, late clerk of the Treasury; Mr. Edward Romilly, chairman; Mr. Charles Macaulay, of the Audit Board; Right Hon. William James Cowper, M.P.; Mr. Alfred Austin, Secretary of her Majesty's Office of Works; Right Hon. Lord Llanover, late First Commissioner of Works; Mr. Henry Arthur Hunt, Surveyor of Works and Public Buildings; Mr. Alfred Austin, of the Audit Office; Sir Richard Madox Bromley, K.C.B., Accountant-General of the Navy; Colonel Godfrey Thomas Greene, Director of Works to the Admiralty; Commodore Hastings Yelverton, Comptroller-General of the Coast Guard; Mr. James William Safe, Chief Clerk of the Coast Guard Office in London; Mr. Samuel Whitbread, M.P., one of the Civil Lords of the Admiralty; and Sir Richard Griffiths, Chairman of the Board of Works in Ireland.

On the 25th July, 1860, the Committee reported as follows:—

Your Committee commenced the inquiry by considering the mode of framing the estimates, the time of the session when they are presented to Parliament, and the votes in class No. 1. They are of opinion that the estimates for the Civil Service ought to be laid before Parliament at the same period as the Army and Navy Estimates. That nearly all the votes now brought under Number VII., entitled miscellaneous, special, and temporary objects, ought to be placed in the different classes to which they respectively and properly belong. Should there be any special estimates which cannot be brought under the six first classes, such special estimates ought to be presented at the same time as the first six.



That in case of any votes being required during the sitting of Parliament for any unforeseen and urgent service, a supplementary estimate ought to be presented, accompanied by notes, explanatory of the reasons why the said sums were not included in the original estimates, and referring them to their respective classes; and also that such of the expenses included in civil contingencies as are of a constantly recurring nature, should be provided for by estimates in their appropriate classes. That Parliament ought to be informed, in the estimates of each year, of the unexpended balance of each vote of the past year which had been sanctioned by Parliament, and the balance remaining in the Exchequer to the credit of each vote up to the 31st of December of the current financial year. That in the case of all new works under Class 1., the construction of which is to be extended over more than one year, the estimates in every case should be prepared in the same form as that for new works in the Navy Estimates. That the present system of audit is imperfect, inasmuch as only a portion of the expenditure is brought before the Board of Audit: but the subject having been very fully considered by the Committee on Public Moneys, your Committee confine themselves to referring to their report, and expressing an opinion that some steps should be taken to introduce a more uniform and efficient system of audit.

That the evils arising from constant changes in the office of Chief Commissioner of Works having been prominently brought before your Committee, they are of opinion that the appointment of a permanent Commissioner would seem the only means of removing them. Your Committee consider that upon the appointment of a permanent Commissioner, the duties of the existing political office of First Commissioner in Parliament might be discharged by some other Minister of the Crown in the House of Commons. That if a permanent Commissioner were appointed, all public works not already under the Department of Public Works, except those for naval and military defence, ought to be placed under that department. Your Committee have been unable to continue their inquiries in the matters committed to them further in the present session of Parliament; they strongly recommend to the House the appointment of a Committee in the next session of Parliament to resume the inquiry.

*Increase of Miscellaneous Estimates.*—In 1848 the total amount of miscellaneous estimates, including the seven classes and civil contingencies, was 3,783,000*l.*; in 1849, 3,988,000*l.*; in 1850, 4,065,000*l.*; in 1851, 3,948,000*l.*; in 1852, 4,407,000*l.*; in 1853, 4,802,000*l.*; in 1854, 6,648,000*l.*; in 1855, 6,586,000*l.*; in 1856, 7,724,000*l.*; in 1857, 7,395,000*l.*; in 1858, 7,239,000*l.*; and in 1859, 7,840,000*l.* The causes of this increase were detailed by Mr. Laing as follows:—Beginning with Class 4, education, science, and art; on that head the total estimate was 397,000*l.* in 1848, and 1,328,000*l.* in 1859, that showed an increase of 931,000*l.* Of that 931,000*l.*, 711,000*l.* was an increase in the vote for education in Great Britain; 129,000*l.*, an increase for education in Ireland; 83,000*l.*, an increase for the department of science and art; and 52,000*l.*, an increase for the British Museum. Under Class 3, which is law, justice, and police, the total estimate was 1,042,000*l.* in 1848, and 2,544,000*l.* in 1859, showing an increase of 1,502,000*l.* Under that head the largest head of increase was the Irish constabulary, which added 700,000*l.* to the last estimate, which did not exist in 1848. Then, county courts have added 206,000*l.*, which did not exist in 1848. Those were new votes.

Prisons and convicts were 475,000*l.* in 1848, and 754,000*l.* in 1859, showing an increase of 279,000*l.* Police in counties and boroughs, 214,000*l.* in 1859. That did not exist in 1848. Metropolitan police was 130,000*l.* That did not exist in 1848. Criminal prosecutions in Scotland, 125,000*l.* in 1859, and 63,000*l.* in 1848: an increase of 62,000*l.* In Ireland there was an increase of 41,000*l.* in criminal prosecutions. The Probate Court is 32,000*l.*, and the London police courts 22,000*l.*, both of which were not in the estimates in 1848. These figures make up, in round numbers, 1,500,000*l.* total increase. Then, under Class 1, public buildings, works, and harbours, the total amount was 462,000*l.* in 1848, and 793,000*l.* in 1859: that is an increase of 331,000*l.* Harbours have increased from 151,000*l.* to 278,000*l.*, making an increase of 127,000*l.* Royal parks and gardens are 108,000*l.*, which is all increase from 1848, because the bulk of it was paid from the Crown revenues before that. For royal palaces and ordinary public buildings (distinguished from the extraordinary ones, such as the Houses of Parliament), there was an increase from 120,000*l.* to 211,000*l.*, making 91,000*l.* of increase. For public buildings in Ireland there has been an increase from 23,000*l.* to 90,000*l.*: that is 66,000*l.* increase. Those are the principal heads under Class 1. In Class 2, which comprises salaries and expenses of public departments and other expenses, there has been a considerable increase. In 1848 the amount was 1,031,000*l.*; in 1859 it was 1,413,000*l.*, making an increase of 382,000*l.* Nearly all that increase was occasioned by transfers. The postage of the public departments, which was not charged before, is 106,000*l.* Transfer of a number of offices, such as the Audit Office, the National Debt Office, and so on, formerly on the Consolidated Fund, 146,000*l.* New offices, Registrar-General, Civil Service, &c., 50,000*l.* Stationery and printing has increased from 302,000*l.* to 337,000*l.* Then, taking twenty of the great public departments, the Treasury, Foreign Office, the Poor Law Board, and others, those which one may call the great established public departments, I find the expense in 1848 was 660,000*l.*, and in 1859 it was 676,000*l.*, an increase of 16,000*l.* Then, Class 5 was 426,000*l.* in 1848, and 428,000*l.* in 1859; so that it has remained almost stationary. There is, however, a saving upon colonial establishments. Then, upon the consular and diplomatic votes, there has been an increase of about 75,000*l.* per annum in the amount voted for consuls and diplomatic expenses in 1859 as compared with 1848. Those are merely salaries and miscellaneous expenses of consuls abroad, and other items of diplomatic expenditure, what are called extraordinary expenses, which include telegraphic messages, and so on. That increase has been just about met by a corresponding diminution in the colonial establishments, so that that class is stationary. Class 6, superannuation and retired allowances and gratuities for charities and other purposes, was 176,000*l.* in 1848; it is 242,000*l.* now; showing an increase of 66,000*l.*, which is mainly in superannuations. Then, Class 7, the miscellaneous and temporary objects, showed a very large increase. In 1848 there were only five or six votes in it, and the total amount was 146,000*l.*; in 1859 the amount has grown to 988,000*l.*, showing an increase of 842,000*l.*; but in explanation of that very large increase in Class 7, about 148,000*l.* of it arose from the transfer of matters which formerly would not have appeared in the estimates. Still that would leave an increase of 700,000*l.*; but that arose partly from the systems of classification having been somewhat altered since 1848. Mr. Laing did not anticipate any material saving upon what were called

the small miscellaneous votes. The actual real increase (deducting transfers), in the years from 1848 to 1859, has been in round numbers 2,225,000*l*. But most of the large items depend upon legislative policy rather than administrative control. The whole of this amount was made up, for instance, of education, science and art. There was a positive increase of 930,000*l*. on the miscellaneous branch; 700,000*l*. was made up to a great extent of extraordinary buildings, telegraphs, and public works of that sort, and, after deducting transfers, there was an increase of 660,000*l*. On Class 1, public buildings, there seemed to be an increase of 157,000*l*.; on harbours an increase of 127,000*l*.; on Class 3, law, justice, and police (exclusive of transfers), there is an increase 332,600*l*.; on consuls and diplomatic, of 75,000*l*.; and on superannuations, of 89,000*l*. Now those seven heads amount to 2,367,000*l*.: so that the whole actual increase of 2,225,000*l*. was fully accounted for, or even more than accounted for, under those seven heads. The conclusion Mr. Laing drew from that was, that the progress of expenditure depends more upon legislative action in those large matters than it did upon small matters of detail; although he admitted that there might be scope for economy there. Yet when he found that for twelve years in succession, while the expenditure has been going on so rapidly, the whole of the miscellaneous expenditure, exclusive of those large items, remained stationary, or even declined; and when he found that the salaries of twenty principal departments remained all but stationary during that period, he came to the conclusion that there was no very great or material saving to be anticipated from the small miscellaneous items of our expenditure; and that if there be a possibility either of diminishing expense or arresting this progressive increase of expenditure, it can only be looked for from dealing with some of those large matters of policy which involve the largest figures in our estimates.

*Arrangement of the Estimates.*—In the autumn of every year a circular is issued by the Financial Secretary of the Treasury to every department, desiring that by a fixed date all the ordinary estimates of the year shall be sent in complete; and the object of having them early is, in order that the provision to be made in the budget may be considered: without a knowledge of the aggregate amount of the civil estimates, the Chancellor of the Exchequer would not know what the full requirements for the public service were. All the estimates come to the Treasury in reply to that circular letter. The circular is sent either in the month of January or February, and a day is fixed on which the estimate must be sent in; it varies according to circumstances. The estimates ought all to come in before the meeting of Parliament, but in point of fact they do not all come in; many of the most important are postponed, particularly in the Office of Works; they come in at a much later period, and the Treasury is obliged to make a guess at the amount for the budget; they never get the real figures for the civil estimates in time for the budget; the amount is generally founded upon the estimates of the past year, with an allowance for variations which the Treasury may have a knowledge of at the time of preparing the budget, though that knowledge is only approximative, and many of the important services are not finally determined at the time of the preparation of the budget.

In Mr. Laing's opinion, an important step towards economy would be to divide what is imperial from what is a local expenditure. Works are, moreover, often commenced generally on a large scale without any plan

or detailed estimates having been made out and submitted to the consideration of Parliament. It would be well to have a clear knowledge of the cost of each work. It must be admitted, however, that in works which are to run on for ten or twelve years it is very difficult to know beforehand what will be done. It is also inconvenient to have Class 7 of the estimates brought so late before Parliament.

*Finance Accounts.*—The finance accounts are printed a long time in anticipation. The returns are obtained from a variety of departments, and the principal cause of the delay in the presentation arises from the returns required in regard to trade and to the services of the revenue departments—that is, all the duties collected under each head of customs and excise. The issue of the finance accounts rests with the authorities of the Treasury. They are responsible for putting them together. The Treasury is responsible for preparing them and keeping a check upon the departments, that they do not take too much time in the preparation of the details.

*The Audit Board.*—The duties of the Audit Board consist in auditing the accounts which are sent to them either by Act of Parliament or by Treasury directions, and to see that all the sums which are taken credit for are properly authorized and checked. They subsequently send up a state to the Treasury for their consideration. The Treasury then consider that state or statement of the account which has been sent to them and warrant it; it is afterwards returned to them, and declared before the Chancellor of the Exchequer.

Those accounts are brought up twice a year before the Chancellor of the Exchequer, and they are declared before him—that is to say, the Board assemble at the Treasury, and meet the Chancellor of the Exchequer, who simply signs his name to those accounts, and they become then a document of the Court of Exchequer.

The Board do not examine the Exchequer accounts at all. Those accounts, which come to them by Act of Parliament, or which are sent to them by the Treasury, are audited by them with reference to authorities and vouchers; they receive from the Comptroller-General of the Exchequer a statement, but that statement they do not audit.

A very large part of the public accounts of the kingdom do not come before them. The accounts of several of the Secretaries of State and a great many others they never see. Sometimes the Treasury direct money to be issued without any account. From time immemorial the Treasury has had the power of issuing, under certain circumstances, voted money without account; and there are cases in which it would be clearly inexpedient to insist upon an account. Suppose, for instance, that a certain sum of money is issued in aid of the purposes of a charitable institution, a hospital, for instance, say 500*l*. Provided the Government are satisfied that the purpose for which the 500*l*. had been issued, has been answered, it would be obviously very harassing and annoying to require the governors of the hospital to render an account of the way in which that 500*l*. had been appropriated, forming, as it would, only a small portion of the whole revenue of the charitable institution; it is, in point of fact, carried to their general fund as a donation, and no special account of that 500*l*. could very well be given.

To the question whether, as so much of an effectual public audit must necessarily rest with the Treasury, it might not be better to make the Treasury solely responsible to Parliament, and to the public, and charge it

with the whole work of the appropriation audit, in preference to setting up a second Board, which, if you gave it a large amount of independent authority, might become, as it was said, a second little Treasury, conflicting with the other? Mr. Romilly answered:—I apprehend that the Treasury has no power whatever of interfering with any portion of the representations that we may think it our duty to lay before Parliament, as to those accounts which are the subject of the appropriation audit. The only accounts with reference to which the decisions of the auditors are liable to be overruled by the Treasury, are those accounts which we examine in detail. The Treasury seems to me to be in a different position from that of an audit office. There are certain bodies which have to deal with the expenditure of the country; the Legislature issue certain rules and directions with respect to it; the Treasury also issue their directions with respect to the mode in which the expenditure is to be incurred; the Secretaries of State do the same thing; there are also orders in council, and these are all authorities for the mode in which the expenditure is to be incurred; and it appears to me that in each case in which any body issues any particular rules or regulations for the expenditure, that that body ought to be informed whether their directions have been obeyed or not; the House of Commons ought to know whether their directions have been obeyed; and the Treasury in the same way. Except as regards salaries, the Treasury itself is in the position of an independent department, in controlling those by whom the expenditure is immediately made, and in issuing regulations as to them; and the consequence is, that it is right that they should be informed, by states of accounts, whether their regulations have been deviated from or not.

Sir Stafford Northcote then asked whether a more complete audit could not be had by making the Treasury directly responsible to Parliament for all their accounts? To which Mr. Romilly answered:—The only mode by which the Treasury and other departments or bodies having to carry on public expenditure, can be made really responsible to Parliament and the public, is, by complete publicity being given to their acts. In all those cases in which the Treasury issue regulations of their own, as they are the persons to issue those regulations, of course they may set them aside when they think fit; it is quite competent for them to do so, and quite right, subject to such publicity.—(Mr. Macaulay.) It would be quite consistent, at all events, with the Audit Office principle, that the expenditure, which is conducted under the authority of the Treasury, should be audited at the Treasury; there would be no objection to that. But with reference to the expenditure which is incurred under any other authority, I think it would be desirable that that should be tested by an authority entirely independent. For instance, Parliament votes large sums of money which are appropriated to particular services; and in so far as the expenditure of that money is conducted under the authority of the Treasury, the Treasury, I think, might very fairly check the application of that money in detail; but Parliament wants to know that no more than a certain sum has been spent upon a particular service; and the Treasury may often be interested in spending more than that sum; I think, therefore, that Parliament, in a case of that sort, ought to have the security of a department, constituted, as the Audit Office is, a judicial department, having no administrative interests to serve. With regard to those accounts, which are expressly made the subject of the appropriation test, it seems to me very desirable that the report upon those

accounts should be made, not by the Treasury, but by an office constituted on something like the same principle as the Audit Office.

*Board of Works.*—The powers which the Board exercise with regard to the estimates and expenditure for public works to be undertaken are to carry into effect the votes of Parliament as closely as circumstances will allow; and then to have the custody and the supervision of all those public buildings which are not otherwise appropriated, and which do not belong to any other departments of the State. The Act of Parliament which made the Board of Works a separate department, placed the Board under the directions of the Treasury in very general terms, so that the Board of Works may in almost any matter be subjected to the sanction of the Treasury.

The executive part of the work is with the Board of Works; but the general sanction of the Treasury is required in any work which has not already been directly voted by Parliament. When the Appropriation Act is passed, that is the authority for spending the money so voted by Parliament: and in any stage of the proceedings which requires discretion, or a departure from the law, or if not a departure from the law, something which is not provided distinctly by law, it is necessary to obtain the sanction of the Treasury. In the formation of the estimates the general rule of the Treasury is to have all the estimates before them in January; but there is often a considerable difficulty in regard to observing that rule, because as the miscellaneous estimates are generally voted in the month of June or July, there is considerable inconvenience in deciding in December as to what works will be required to be voted in the following month of July, so that the practice is, that the Chancellor of the Exchequer, when taking a review of the finances of the country, should be told the total sums which will be required to be placed in the estimates, and that all the details of those estimates should not be submitted to the Treasury quite as early as the month of January; but that is a matter in which the Board is under the orders of the Treasury; the discretion rests with them rather than with the Board.

The relation in which the Board of Works stands towards the Treasury was further described by Mr. Austin as follows;—"There is, in the first place, a class of cases where the consent of the Treasury is an absolute necessity, and as to which our acts would not be valid without it; for instance, the purchase or sale of property, or the letting of property. Each of the statutes which gives us authority to acquire property contains a clause to the effect that the consent of the Treasury shall first be obtained to the purchase. There is in the next place, in all or most of the statutes that relate to our office, from 1782 down to 1851, a clause enabling, in the fullest way, the Treasury to issue regulations for the governing of the office. In one of the statutes passed in 1814 there was an express clause that the Treasury should issue a code of regulations for the governing of the office; and in March, 1815, the Treasury did issue a code of laws, a book containing a great many pages; but that code, however, has become entirely obsolete, and has not, I believe, been acted upon in any way since 1832, when the Office of Works became united with the Office of Woods. I know of no other regulations issued by the Treasury, except an occasional direction or so, which at all affects our office; therefore, when it is said that we are under the control of the Treasury it must be understood that we are liable at any moment to have directions issued to us for governing our office; but I am not aware that any regulations are now in existence, except some few

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occasional directions upon particular matters. That is as to the law. Then there is the control which, of course, the Treasury has over us, connected with the supply of money which we have to spend; of course they can at any time withhold that supply, and prevent us from executing any works; but it seems to me (for the question was drawn to my attention by a question from the auditors this last autumn), that when the Treasury have once issued money, we can use it without making any further application to them for authority in any way. Now, in point of practice, the Treasury are continually issuing money for our use, so that we have money at our command. This money is issued upon the supposition of an intended application from the Board: and that being the case, it behoves us to be particularly careful that the Treasury is kept in a current knowledge of what we are doing, and that the money so issued should not be appropriated to any other purpose than is understood by them; and the consequence is, that there is a very active correspondence going on between us and the Treasury. In the last three or four years, as far as I have had any influence in the matter, that correspondence has very much increased, from a desire, on our part, that every portion of the business of the office of the slightest importance, especially where money is to be spent, should be thoroughly known to the Treasury. I was looking at some figures this morning, and I found that in the year 1855 there were 184 communications from our office to the Treasury; last year there were 420, and probably there will be some 500 this year. That shows a growing desire on the part of the office to keep the Treasury perfectly acquainted with everything that is going on. It seems, however, to me, so far as any case in which money is issued is concerned, that our communicating with the Treasury is a spontaneous matter on the part of the office, and that we are not bound to do it."

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#### TONTINE AND LIFE ANNUITIES.

*Report on the Mortality of the Government Life Annuitants, by Alexander Glen Finlaison, Actuary of the National Debt.*

AN accurate and extensive observation of the law of mortality prevailing among the life annuitants of any country must of necessity present some instructive features. In the first place, an observation of this nature serves as a standard of the longevity attained by that class of persons in the community which happens to rejoice in a competent share of the material comforts of the time. It is, in fact, a measure of the vital force of the period to which it refers; and on that ground, perhaps, it is, in some degree, a gauge of the prevailing civilization. All authority on the subject, except that of the poets, leads us to conclude that the life of the savage—the *zero* of mankind—is, on account of manifold privations, generally very brief. But, under any circumstances, a true and exact observation of mortality, and particularly one relating to a well-defined class, establishes a landmark, which not only is of much use at the time present, but will be of worth equally great at some distant day. In fact, any authentic information of the nature in question, framed at dates more or less remotely

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antecedent to the present time, would now be esteemed of transcendent value.\*

Another aspect of the subject presents itself for consideration. An observation over large numbers of the gentry of a country, supplies for sanitary investigations, if for no other purpose, means of comparison between the vitality common to that order of persons which possesses all the accessories essential to the prolongation of life, and the vitality which is enjoyed by other classes of the population. It may, perhaps, be of benefit, too, in enabling that country to judge whether there really is inherent in its social manners and customs, as affecting the physical condition of the human being, that superiority which every community is so well contented to claim for itself, and of which superiority one weighty element, the greater duration of life, is no insignificant proof. Good service in the cause of truth may also be done, by scattering the ill-grounded assumption that an inferior longevity is the portion of the affluent; and a vulgar idea, which, after being adopted as a fact in the first place, is in the next immediately accounted for, as a matter of course, by the luxury of the rich, and their greater command of the roads to excess, will be advantageously exploded.

There is, however, a further important object to be attained by careful and trustworthy observation of the experience garnered up in the books of the National Debt Office. The Government life annuitants, as a body, not unfairly represent that portion of the people upon whose tenure of existence most of the life interests and successions to property in the United Kingdom are dependent. Consequently a law of mortality, the foundations of which are in truth laid in the ranks of the British gentry, manifestly becomes the only true and proper instrument for computing the worth of their life interests. It is, moreover, the only sure test of the fallacy of the various scales by which their property on lives has heretofore been, and still continues in too many instances to be, most inaccurately measured.

It is difficult, even to those most conversant with the matter, to form a satisfactory idea of the vast amount of property held in this country on the tenure of human existence. Ecclesiastical and capitular estates, lands, houses, and other possessions, are, in innumerable instances, held on leases for lives. A multitude of estates bear the charge in settlement of one or more life interests. The payment of sums of money in the event of death is now so commonly assured, that numerous public companies are successfully established to facilitate such arrangements. Various schemes for raising money by way of tontine, both for public and private objects, also subsist, and possibly others may yet be called into being. Two millions, perhaps, of the operative class of men have a direct interest, through the benefit societies, in pecuniary allowances dependent on the chances of mortality. It is clearly to the advantage, therefore, of an immense body of individuals that a knowledge of the probable duration of life, as accurate as experience and observation can make it, should be acquired and established; for, too commonly, property contingent on life-tenure has been,

\* With what interest would we not now regard a copy of those mysterious Babylonian calculations, the consultation of which on the probable end of life was so playfully deprecated by Horace! *Carm. lib. I. xi.*

Various allusions to calculations of the same nature (whether biological or astrological) are scattered through the classic authors.



and continues to be, dealt with on terms governed by measures of value which are totally inapplicable to its real circumstances.

In looking at the question of mortality in the sense of the hourly waste of mankind, no doubt the most comprehensive view of the subject is that which embraces the whole of the community. But the interest taken in a prospect so general is of limited utility. The mortality prevailing in any one province of the kingdom may possibly arouse attention to some extent; but men are more likely to appreciate any indications of longevity, or the contrary, which may be common to their own social class, rather than to their geographical community of abode.

The constituent elements of health and longevity are present in greater force among each successive class of society, ascending from that class which is destitute; but although these orders of society are not clearly graduated into numerous degrees, there are, undoubtedly, three or four broad strata of civilized life to whom are granted different proportions of the conditions usually accompanying and, perhaps, essential to a prolonged existence. The opulent, the unemployed competent, the worker, possessing each in his degree moderate comfort, and, finally, the needy poor, descending to the destitute pauper, form each very distinct grades in reference to the nourishment of the vital force.

Retaining in mind these easily apprehended distinctions of position, selection by class becomes of much importance where pecuniary interests are treated of in relation to the duration of life. One further step, to wit, individual selection from among a select class, would be the next higher desideratum, with the same practical object in view; but here uncertainty commences. Selection by the judgment of another mind generally attains but partial success, as may be seen in one case of ordinary occurrence, namely, that of assured lives; for assured lives are, class for class, decidedly inferior to an equally numerous body taken promiscuously in early life, and matured to a similar age, from among the same ranks of society. The reason for this, perhaps, is to be found in that common dread of an abbreviated existence which is felt by the whole class; which general apprehension, no doubt, rests on a substratum of comparative danger; and although the exercise of vicarious opinion as to soundness of constitution has afforded a certain limited amount of experience in the case of extremely aged annuitant lives, yet even in this particular direction there were certain exceptional circumstances that invalidated, in some measure, the full authority of the example. It may be doubted, indeed, whether any step in the way of selection will ever surpass the intuitive perception which reigns in the mind of the self-nominated annuitant at the time of purchase.

In the absence, however, of self selection, class selection takes the first rank; and, entertaining the above opinions, it appears, of course, to me that in class selection the life-annuitant class must be entitled to the first place. Moreover, it being established from the fact, no less than from the theory, that there is a select class, and inductively, therefore, that there are, further, other classes, each in their degree lower in vitality, perhaps, than the life annuitant, but still select as compared with the mass, it would seem to follow that any scale of appreciation which mingles all classes together, and throws out from the conglomeration one set of results for pecuniary dealings in all commercial affairs, must be no practical measure of value at all.

The conclusion, in fact, to which one is compelled is, that class observation alone is useful in the monetary and sanitary affairs of life.

There is one other question falling more particularly within the scope of these pages, which will suggest itself. It is to the effect, whether the tables which now are made use of in the grant of life annuities by the Commissioners for the reduction of the National Debt are, on the whole, safe and equitable. Does thirty years' further experience of the mortality prevailing among the Government life annuitants suggest the necessity of any alteration of the prices now demanded for the Government life annuities? It is to be remembered that the table of mortality constructed in the year 1823, and adopted in 1829 for the supersedence of the Northampton Life Annuity table, had not the benefit of any lengthened experience of the mortality proper to the National Debt Office, as far as regards what were then termed the "Sinking Fund Life Annuities," seeing that this particular system of transforming perpetual into terminable annuity had only commenced in 1808. The table framed in 1823 was, of necessity, based chiefly on the experience of the Irish and English tontines, with which only a few years' mortality of the nominees of the sinking fund could be combined.

Sufficient time has, however, elapsed from the period when the growing experience of that mortality was first put to use in 1823, to make it now desirable to ascertain what confirmation the present official tables will derive, or what amendment they may require, from a fresh computation of the decrement of life prevailing among the same class of life annuity nominees.

An answer to this inquiry will be given in the course of the present paper, both by the tables themselves and by verbal conclusions drawn from the results of the observations. In the meantime it will be useful to describe the materials which once more have been turned over from their very foundations for new examination, and to state as well, in full detail, the methods which have been pursued to turn them to account.

The Government life annuity nominees, which form the subject of the present paper, consist of 28,367 persons. Of these, at the close of the recent investigation, 19,434 were dead. Each sex being numbered, there were 11,829 males and 16,538 females. Included among the males, there were 675 carefully selected lives.

The Government life annuitants (allowing, for the purpose now in hand, the general term "annuitants" to signify nominees) divide themselves into two grand classes. The first of these divisions is composed of the persons nominated in the various tontines established from the year 1773 to 1789. The second portion is formed of the nominees of those annuities which were granted at the National Debt Office from the year 1808 to the close of the year 1850. In the first mentioned case, the lives enrolled were chosen, for the most part, not by their own volition, but by the decision of other people. In the second instance, the lives were, with unimportant exceptions, altogether chosen by themselves. But in both cases the nominees may be fairly taken to represent those classes of society who are in the enjoyment of property, and who, therefore, are clothed with one of the most important qualities which authorise selection.

The Tontine observations resolve themselves into two sets of nominees selected under distinct circumstances. The first set consists of 3,384 lives belonging to those tontines commonly called the Irish tontines, which were set on foot in the years 1773, 1775, and 1777. The second set is composed of

8,171 lives, included in that financial scheme which is usually known as the English tontine of 1789. But this second set of lives subdivides itself again into two sections, each assembled under very different conditions. The first of these sections was composed of 3,495 lives, usually known as the Contributors' Nominees, who were selected individually by those parties who took shares in the undertaking, in its outset as a commercial speculation. The second set consisted of 4,676 lives, purely non-selected except as to class, and are commonly distinguished as the Government Nominees.

A tontine, as almost everybody knows, is a species of life annuity which was at first set agoing in France in the year 1653, and was so called from its inventor Tonti. It was usually composed of classes arranged according to age, to each of which classes a proportionate annuity being assigned, those who lived longest had the benefit of their survivorship, in the whole annuity being divided among the number diminished from time to time by death. Thus, all parties surviving had an obvious interest in establishing, at the earliest moment, the fact of the decease of their co-partners in the annuity. Where the nominee permanently disappeared from observation, his death was generally assumed, at the end of a certain period of time, to have taken place soon after the payment of the last instalment of the annuity received on his behalf; but his share in the undertaking was not usually forfeited under a space of from two to three years after his last receipt of income. It is a feature attached to these schemes, that they were always more popular on the Continent than in this country, where benefits for the entire solace of his own old age are generally neglected by the Englishman in favour of a provision for his immediate successors.

The tontines of 1773, 1775, and 1777, were distinguished as the Irish tontines, from the circumstance that the money raised through their means was borrowed under authority of acts of the Irish Parliament: 3,561 lives were enrolled in these three tontines: but 177 of these persons signed in more than one of the three lists, and out of 1,560 nominees in the tontine of 1777, the subscription to which was largely promoted by Thellusson, the famous banker of that day, there were included no fewer than 432 foreigners, who were chiefly his Swiss fellow-countrymen. A large proportion of aliens were also placed on the lists of the tontines of 1773 and 1775. The presence of this extraneous element in such important proportions, ranges this particular set of lives, when viewed by itself, in a somewhat exceptional category. A reference to various particulars, given in the printed lists of these tontines, will show that the adult persons enrolled were of the middle and upper classes of society.

The great English tontine of 1789 was set on foot by virtue of the Act 29 Geo. III. c. 41. The contributors for every 100*l.* 5*s.* which they advanced, might, against the 10th October, 1790, name the life of any person to enjoy the annuity. The ages of the nominees, their parents, with other descriptions to identify the person nominated, were specified with great precision on a parchment order, producible on each occasion of receipt of annuity. These particulars were also carefully entered in the office books of the auditor and clerk of the Pells in the Exchequer. Where the age of the nominee was above twenty, it was proved by production of the register of birth, or by affidavit.

These details were printed and published occasionally, the first time in 1792, and were therefore open to correction at the instance of those concerned.

Within one month after receiving notice of the death of his nominee, the contributor was bound to certify it to the auditor. If any annuitant neglected to demand payment of his annuity for two years, in case no certificate of the life of the nominee was produced, the latter was considered as dead, and his annuity divided among the survivors of his class. But if such nominee afterwards appeared to be living, the annuitant was entitled to future payments.

Under these first enacted conditions, 1,002,500*l.* was raised in 10,000 shares. But, soon after, the plan of this tontine fell into disfavour. By a further Act, 30 Geo. III. c. 45, therefore, the subscribers were allowed to exchange their shares for Long Annuities, having 69½ years to run. Nevertheless, a considerable number of the contributors held firmly to their original subscriptions, and it was found ultimately that 4,219 shares were taken up, and that 3,495\* lives were nominated by the subscribers. Among these lives, scarcely any, perhaps not half a dozen, foreigners were enrolled. In the majority of cases, the contributors nominated themselves, their children, or other near connections,—no doubt on account of the greater facility with which their existence in life could, from time to time, be proved.

In order to place those persons who retained their shares of their tontine, on the footing they would have had if the whole number had been filled up, the Treasury was empowered to nominate other lives for the shares exchanged. It had accordingly to deal with 5,733 shares, the balance of the 10,000 forming the tontine, after deducting therefrom 4,219 shares kept by the original contributors, and 48 shares which were forfeited.

The nominees required were to be selected from the peers of Great Britain and Ireland, their children or grandchildren, also from baronets, justices of the peace, and lords of manors in England or Wales, or their children at the more advanced ages. In addition to these, there likewise were eligible dignitaries of the Church, beneficed clergymen, and fellows of colleges; governors of the Charter House, of the Foundling, or of Christ's Hospital, and finally, "persons duly registered in the books of the Amicable Society for insurance on lives in Serjeants' Inn." It was also enacted that the Treasury should appoint no nominee for the public other than a resident native of Great Britain.

The names of the persons whose ages and places of abode were ascertained by the Treasury were publicly drawn by lot until a sufficient number of names in each class were drawn to fill up the proportion of nominees appointed on the part of the public. The 5,733 shares were assigned to 4,812 lives; 921 of which held two shares on each life.

Before the Government nominees were entered in the books of the auditor, the Treasury was bound to deliver to him a copy of the register of the birth of every nominee, with proper certificates attesting its veracity; and also other certificates of the name and place of abode of such nominees. And, every half year, certificates obtained by the Treasury from the ministers of parishes, and from the officers of the Amicable Corporation of the existence of the nominees, and of their death when such event took place, was filed at the Exchequer as warrants for reserving to the use of the public, or otherwise dealing with, the half-yearly payments on their lives.

\* Three thousand four hundred and ninety-eight was the number stated in the published list of 1792; but in 1827 an error of three was discovered to have been made in the reckoning of 1790.

The deaths which took place among the Government nominees were ascertained very fully. For instance, in the course of twenty-eight years' experience at the National Debt Office, not more than seven disappearances, wholly unaccounted for, were to be observed.\*

It has been already stated that 3,495 lives were nominated by the contributors. Adding to these the 4,812 Government nominees, the whole list presented a body of 8,307 persons. But it will be remarked, perhaps, that although the nominees returned by the Treasury amount in number to 4,812 persons, yet only 4,676 enter into the observation formed of this class. The difference is to be explained by the fact, that, from their position in society, 136 of the contributors' nominees happened very naturally to be returned to the Treasury as persons belonging to the very class of people to which the selection was limited. They appeared, therefore, undesignedly in each of the two lists. But having been directly chosen by the contributors, and enrolled among their nominees, they were removed in my enumeration from the Government list, which, as I have already observed, was non-selected except as to its place in society.

On looking at the social position of the persons composing the lists of the tontine 1789, the circumstances under which they were assembled, the complete exclusion of foreign or alien lives, the careful supervision of the facts which served to establish the record, and the character of the selection which took place in the choice of nominees, it would seem to be very difficult to find an observation of mortality which could be expected to return more closely the duration of life which actually prevails among that important class of the community upon whose lives the tenure of leases and estate, and the succession to property, almost exclusively depend.

It is to be remarked also that the mere numerical strength of these observations is vastly enhanced in weight by the extent of time over which they now range. On a medium, nearly eighty years' experience of the Irish tontines has been acquired, while the English tontine has yielded sixty-four years' experience. The observations were all made up to 31st December, 1850; but the lists were kept open till the end of August, 1856, in order to get the fullest information of the deaths and disappearances up to the latest period, viz. 5th of April, 1854.

The second great division into which the Government life annuitants arrange themselves, consists of the nominees of those annuities which were exclusively granted at the National Debt Office. They were formerly denominated "Sinking Fund Life Annuitants," a designation acquired, perhaps, from the preamble of the Act 48 Geo. III. c. 142, passed 2nd July, 1808. But under the Act 10 Geo. IV. c. 24, this designation was dropped, although the Life Annuities still continued to be granted with the same view, under amended conditions. The term, however, is one which may be retained with much convenience for the purposes of the present paper, as it seems to distinguish these particular annuitants from the savings banks annuitants, who were subsequently called into existence, under the provisions of the Act 3 and 4 Will. IV. c. 14. The savings banks life annuitants were a class so restricted in number at 31st December, 1850, when the present observations were taken, and the experience of the mortality was so extremely limited, while at the same time so very many of the nominees were included in the concurrent observations of the life

\* Not more than 7 out of 1,929 nominees whose existence was ascertained in 1841.

annuitants of the Sinking Fund, that the materials were, in my opinion, insufficiently extensive, and too recent to yield, by themselves, any conclusions at all satisfactory.\*

The life annuitants of the Sinking Fund may, as a class, be termed self-elected. True it is, that out of 16,812 persons, 675 males of the number came in as the nominees of those parties who speculated in life annuities. There are also, no doubt, a certain number of these annuities purchased under the provisions of trusts and settlements. Nevertheless, the great bulk of the annuities are the investments of a provident and comparatively affluent class of persons who nominate their own lives for the tenure of the annuity, and therefore have, for as much as it may be worth, the benefit of the most intimate consciousness of its probable duration. But as far as regards the interference of other people, the Sinking Fund nominees may be termed non-selected in the great majority of cases. It has been already stated that 675 male nominees only were put forward by other parties as chosen lives. The remaining 16,137 nominees may be considered to be uninfluenced by any selection, other than that which grew out of their own choice, and their position in the social scale. These 16,137 persons separate their numbers into 5,542 males, and 10,595 females. The 675 male nominees selected by the speculators on aged lives, are, in their turn, subdivided into two sections; one consisting of 322 very old lives, all above the age of seventy-three, and almost all of whom came in with the earliest reopening in 1829 of the dealings in this species of investment. The remaining 343 lives range from the age of fifty-eight to seventy-three years, and were sent in by sets from one or two city life insurance offices, on financial principles best known to themselves. Leaving out this exceptional class of 675 lives, the whole of the annuitants, or non-selected lives, form in one combined aggregate a body of 16,137 persons; of whom, as above shown, about one-third are males, and the other two-thirds females.

In order to establish the degree of validity to which the observation of the life-annuitants of the Sinking Fund may fairly lay claim, it is expedient, perhaps, that some account should be given of the evidence on which the facts recorded are brought forward. The purchaser of a life annuity signs a declaration to the commissioners for the reduction of the National Debt, that he is desirous of transferring to them a specified sum of stock or money for the purchase of a life annuity; and at the same time he nominates a person of an age, certified by papers then produced, to be the party upon the continuance of whose life the annuity is to depend. Where natives of Great Britain are concerned, these papers usually consist of an extract from the parish register of baptisms, carefully distinguishing whether the register is kept according to the old or new style. The extract is certified to be true under the hand of the minister of the parish, or the two churchwardens or overseers, in the presence of two witnesses, whose signatures are also given with a statement of their place of residence and quality. A declaration is then made by one of these witnesses that he has examined and compared the copy with the register, and that he saw the minister sign the certificate, and that his own and the other witnesses' names are of their own proper handwriting. A further declaration is then made by the purchaser, or by some one on his behalf having personal knowledge of the party named in the extract from the register, that the nominee mentioned

\* Out of 5,648 enrolled, 3,385, or three-fifths of the whole number of nominees of both sexes, came in during the last six years of the period ending 31st December, 1850.

in that copy is the person upon whose life the annuity is proposed to be purchased.

Sometimes it happens that having been born of parents who were not of the Church of England, the nominee is unable to produce any other record of birth or of baptism than such as may have been kept in the register of the parents' place of worship at the date of the nominee's birth or baptism. In that case, an extract from this register—the contents of which extract is declared by the nominee to be in his or her belief true—is accepted in lieu thereof, when accompanied by further information of the kind demanded in cases where the evidence of the birth or baptism cannot be produced from the parish or any other register. On these last-mentioned occasions, a solemn declaration before competent authority has to be made by the nominee, or the purchaser, or by some other person cognizant of the facts, stating the age, names, employment and place of abode, and also the place of birth of the nominee, and the names of his or her parents. The reason why a copy of the register cannot be produced has likewise to be assigned. This statement has then to be corroborated in all its particulars by another declaration before a magistrate, from some person who has known the nominee from ten or fifteen years of age, and also the nominee's place of birth and reputed parents; and who also affirms the identity of the nominee with the person named and described in this declaration; and, further, the declarant's belief that the whole contents of the declaration made by the nominee, on his or her behalf, are true.

This evidence is demanded in the case of natives of Great Britain only, and no person can be the nominee of another who is not a native of Great Britain or Ireland. But the forms under which testimony is supplied as to the age and identity of foreigners is equally stringent, and as nearly as possible of the same nature. Further precautions are taken for the correction of any misnomer in the register, and for the due identification of the nominee. With these steps the first stage of the process is completed; and it cannot reasonably be asserted that any pains are spared to establish the facts of the age and identity of the nominee on whose life the annuity is to be granted.

The testimony in proof of the nominee's existence, before any payment of the annuity is allowed to take place, is equally satisfactory. Next to validity to an appearance in person, sustained by identification, at the National Debt Office, is the appearance of the nominee before the minister of the parish or a justice of the peace for the county in which he resides, as attested under the clergyman's or justice's own hand. When the nominee resides abroad, his appearance personally must be made before the British consul or other officer who signs the certificate. And in case no British consul or other officer is residing in the same locality with the nominee, a certificate under the hand and seal of the chief magistrate of the place, that the nominee is living and appeared before him, must be obtained and attested by a notary-public. Each of these documents must be accompanied by a declaration from the proprietor of the life annuity, that the person described in the certificate is the nominee upon whose life the annuity depends.

Finally, on the close of the contract by the death of the nominee, before the quarter's payment of the annuity, which is always claimable within two years of the above event, is payable by the National Debt Office to the representatives or the parties entitled, it is necessary that the day of death or burial must be certified by the minister of the parish or a justice of the

peace. This certificate must be accompanied by a declaration from one of the parties entitled to the annuity, or from one of the representatives, that the person whose death is thus certified is the same person on whose life the annuity did depend; and in this declaration the day on which the nominee died must be stated. If the nominee had been residing abroad at the date of his or her decease, documentary evidence of the fact in due form must be adduced, accompanied by a declaration of the same nature as that which has just been mentioned from the proprietor of the life annuity or the executors of the annuitant.

As one-fourth part of the annuity is always payable after the death of the nominee, information of this event is generally brought to the notice of the National Debt Office within no very extended space of time. It does happen occasionally, however, that the annuitant disappears altogether, leaving the annuity to run in arrear. In this case, after a certain period has elapsed, the usual warrants for payment are no longer made out, the annuity is declared unclaimed, and ceases to be any future charge on the Exchequer. This does not take place, however, for three years, from the beginning of the January of the year following that in which the nominee was last heard of; so that, in fact, ample time is allowed before it is concluded that the nominee is dead. As there is every inducement for the annuitant, if alive, to come forward and receive the annuity; and as there is no object perceptible in any abstinence from his or her pecuniary resources, it has been customary to consider the nominee as having deceased at the middle of the half year next ensuing the last receipt of income.

In some rare cases the annuitant does now and then reappear. The fact of their existence is then re-established by reappearance at the National Debt Office, or by certificate of appearance before the clergyman of the parish or a justice of the peace. But in these cases further evidence of identity to the satisfaction of the comptroller-general of the department is always specially required. All things considered, therefore, it will be apparent that from the commencement to the close of a Government life annuity no additional proof can be wanting of the age, of the continuous existence, or of the death of the nominee therein concerned.

The original papers, showing the facts on which the contract is based, are all bound up with this document; and these volumes are all deposited *seriatim* among the records of the National Debt Office. The later information, bearing upon the existence and death of the nominee, is taken account of most carefully, from time to time, in the books of the department, and is subject to minute check and scrutiny by the different officers who carry on this branch of the business. It is submitted, therefore, that the elements stored up at the National Debt Office for an observation of the mortality prevailing among the nominees of the Sinking Fund Life Annuities may well be considered unimpeachable in point of accuracy.

In dealing with the information which was available for the purpose of framing the tables of mortality, the first steps were directed to the collection of the facts into separate abstracts. In respect of the annuitants of the Sinking Fund, a record or account of all the requisite particulars was carefully prepared. This account, which, from its nature, was extremely voluminous, was then most carefully examined and verified by a second and independent reference to the original documents. After all discrepancies had been reconciled, the whole of the details were examined once



more, after which the record was considered indisputable as to its exactitude.

The account contained the following particulars, in columns, and commenced with the earliest contract for the purchase of a life annuity, which contract was entered into on the 1st of September, 1808. There was stated in column 1 the date of purchase of the life annuity; column 2, the number of the contract; column 3, the Christian and surname of the nominee; columns 4 and 5, the date of birth of males and females; column 6, the date of death of the nominee; column 7, the date of the last payment of all annuities unclaimed; columns 8, 9, 10, males—the age at date of purchase, the age at death, the age of the living nominee on 31st December, 1850; columns 11, 12, 13—females—the age at date of purchase, the age at death, the age of the living nominee on the 31st December, 1850. The process of turning these facts to use commenced with counting the nominees of each sex whose names were inscribed in each page, and then setting down their numbers separately. In the next place, a small abstract of each successive page was formed, in which was shown, separately, the number of persons of either sex who were enrolled at each age. The very same persons, distinguishing the sexes, were then gathered together at each age, in another abstract, for each successive year. These two sets of abstracts, respectively totalled for each age of life, served, in their aggregates, to check one another in respect of the numbers found on the office registers. And when the numbers recorded at every age in each of these complete principal abstracts were summed up, the grand total of the nominees of either sex, upon whose lives annuities had been granted from the 1st September, 1808, to the 31st December, 1850, was the result obtained.

The same course, page by page, and year by year, was pursued with regard to the numbers dying at each age, sex for sex. And the nominees surviving on 31st December, 1850, out of the number forming the whole observation, were also set forth at each age, for each sex separately, page by page, and year by year, in manner precisely similar.

In preparing a scheme of the parts which are indispensable to an accurate deduction of the law of mortality prevailing among any class of persons, the following is the order in which the materials are usually arranged:—

There is stated,—1. The age at which the enrolment of the nominee, or any other event in which the nominee is concerned, takes place. 2. The number of persons enrolled at each age. 3. The number brought under observation from each preceding age, after diminution by any of the causes which will subsequently be mentioned. 4. The number remaining under observation at each age, after adding to the number enrolled at the same age, the last-mentioned group of persons. 5. The number dying at each age. 6. The number alive at each age at the close of the observation. 7. The two previous quantities added together give the total number to be withdrawn from the number remaining under observation at each age, in order to carry forward the residue to the next age. 8. Half the number enrolled at each age, each person enrolled being, one with another, present only six months of the year. 9. The number actually subject to mortality for the whole year, after the moiety of those enrolled at each age is deducted from the number remaining under observation, that is, from the group of persons at the same age.

The results of these observation was, that there were 16,812 annuitants

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in the Sinking Fund, and 11,555 annuitants in the Tontine, and the annual rate of mortality per cent. prevailing among the Government life annuitants of all classes combined, except certain aged male life annuitants of the Sinking Fund, 675 in number, was as follows :—

Ages.	Mean Age.	MALES, 11,154.			FEMALES, 16,538.		
		Subject to Mortality.	Died.	Mortality per Cent.	Subject to Mortality.	Died.	Mortality per Cent.
1 to 5 ...	3	3,345·0	33	·9866	3,693·5	40	1·0830
6 to 10 ...	8	8,765·5	57	·6503	10,171·0	60	·5899
11 to 15 ...	13	13,371·0	75	·5609	15,771·5	90	·5707
16 to 20 ...	18	16,557·0	169	1·0207	20,033·5	174	·8686
21 to 25 ...	23	17,791·0	260	1·4614	22,203·5	185	·8332
26 to 30 ...	28	18,252·5	213	1·1670	23,451·0	201	·8571
31 to 35 ...	33	18,685·5	216	1·1560	24,122·0	233	·9659
36 to 40 ...	38	19,328·0	260	1·3452	25,001·5	259	1·0359
41 to 45 ...	43	20,326·0	277	1·3628	26,705·0	295	1·1047
46 to 50 ...	48	21,532·5	316	1·4676	29,021·0	372	1·2818
51 to 55 ...	53	23,045·5	485	2·1045	33,315·0	504	1·5128
56 to 60 ...	58	24,074·0	632	2·6252	37,280·0	697	1·8696
61 to 65 ...	63	24,190·0	822	3·3981	39,907·5	1,025	2·5684
66 to 70 ...	68	21,046·0	1,093	5·1934	36,950·0	1,495	4·0460
71 to 75 ...	73	15,343·0	1,172	7·6387	28,796·5	1,747	6·0667
76 to 80 ...	78	9,401·0	1,007	10·7116	18,125·0	1,682	9·2800
81 to 85 ...	83	4,109·0	667	16·2327	8,492·5	1,226	14·4363
86 to 90 ...	88	1,165·5	251	21·5358	2,664·0	547	20·5330
91 to 95 ...	93	217·5	70	32·1839	457·0	135	29·5405
Totals.....		280,545·5	8,075	.....	406,161·0	10,967	

After determining the yearly rate of mortality for the middle age of each quinquennial group, as shown in the foregoing tables, the four interstitial ages between each of these mean ages were interpolated. The method preferred throughout for this process was that which is to be found in an application of the well-known formula supplied by the differential calculus, and which has been made use of for the same purpose by many authorities. For the interpolation requisite it was not thought necessary to carry the process beyond the third order of differences, which were assumed to be constant.

There are various shapes under which the law of mortality may be exhibited. It may be shown in the form of the number of living persons commencing each age, out of whom one person will die in the course of the year. Or, conversely, it may be set forth in the annual rate of mortality which takes place among 100, or any other number of persons, commencing the year at each age: or it may be displayed by the probability of surviving the year at each age: or, by the number living at each successive age out of a certain number starting at any one particular age. The three forms last mentioned are those which in the present case have been preferred as the most convenient medium for displaying the several results of the different observations. For the sake of convenience in any further computations, however, the probability of surviving the year has throughout been shown in the shape not of the natural number, but of the logarithms. For the same reason also, the logarithm of the number living, as well as the number itself, has been given.

The quantities above specified have been given at each age *separatim* for each observation separately. As regards the combined observations for the male and for the female sexes separately, there has been superadded the expectation or mean duration of life, and the present value of the annuity at the two rates of interest  $3\frac{1}{4}$  and 4 per cent. The first-mentioned rate of interest is that by which, very nearly, the dealings at the National Debt Office have been for many years past, on the average, governed. The other rate, 4 per cent., is given to facilitate comparison with the tables in Mr. Finlaison's Report of 1829, and with other well-known tables of life annuities.

For a purpose immediately in view, an abstract of the expectation of life, according to the combined observations for each sex, is subjoined:—

Age.	Expectation of Life.		Age.	Expectation of Life.	
	Males.	Females.		Males.	Females.
5	48·88	53·28	55	17·41	19·56
10	45·57	50·07	60	14·41	16·17
15	41·85	46·49	65	11·54	12·96
20	38·74	43·27	70	9·08	10·14
25	36·25	40·02	75	7·00	7·70
30	33·39	36·65	80	5·22	5·69
35	30·25	33·30	85	3·93	4·17
40	27·12	29·91	90	2·78	2·94
45	23·86	26·45	95	1·51	1·57
50	20·53	22·99			

The expectation, namely, that computation which is known as the mean duration of life, is not, however, an altogether unexceptionable medium of comparison. Because from its being deduced from the extremity of life through the successive probabilities of surviving the year at each age, the inaccuracies of one age, or one set of ages, may in the course of the calculation very possibly neutralize the inaccuracies of another age, or set of ages, while the law of mortality may oscillate in error through its greater part.

For instance, in certain well known tables the excessive mortality set forth for the older males of the population is balanced more or less by the undue vitality ascribed to the younger lives. It may perhaps be thought that the conclusions deduced through these intricate processes, and put forward as the law of mortality proper to each separate class of facts, might derive further significance if they were contrasted with the fruit of other observations, which in their day have been accepted by many as reliable standards of value. For this purpose, Mr. Finlaison entered into an elaborate examination of the English life-tables, and other tables of mortality, after which Mr. Finlaison continued.

The annual rate of mortality per cent., the expectation of life, and the present value of the annuity at  $3\frac{1}{4}$  per cent. and 4 per cent. interest, by the Government life table framed by Mr. Finlaison in 1823, and now in force, is, for either sex, as follows:—

Age.	MALES.				Age.	FEMALES.			
	Mortality per Cent.	Expecta- tion.	Value of the Annuity.			Mortality per Cent.	Expecta- tion.	Value of the Annuity.	
			At 3½ per Cent.	At 4 per Cent.				At 3½ per Cent.	At 4 per Cent.
3	1.249	49.80	22.105	19.264	3	1.098	55.05	23.065	19.951
8	.604	47.02	21.708	19.028	8	.572	52.50	22.895	19.892
13	.526	43.31	20.833	18.339	13	.477	48.70	22.124	19.316
18	.931	39.61	19.817	17.533	18	.840	45.22	21.404	18.780
23	1.415	36.87	19.192	17.068	23	.862	42.09	20.782	18.333
28	1.272	34.31	18.633	16.671	28	.905	38.87	20.045	17.788
33	1.246	31.40	17.821	16.052	33	.990	35.61	19.205	17.153
38	1.314	28.28	16.796	15.240	38	1.110	32.40	18.301	16.461
43	1.353	25.08	15.593	14.261	43	1.152	29.14	17.261	15.646
48	1.420	21.68	14.102	13.005	48	1.193	25.70	16.009	14.633
53	2.149	18.34	12.452	11.579	53	1.288	22.22	14.493	13.366
58	2.961	15.47	10.937	10.255	58	1.697	18.69	12.774	11.889
63	3.552	12.72	9.341	8.833	63	2.276	15.30	10.922	10.260
68	5.270	10.14	7.692	7.334	68	3.399	12.16	9.018	8.548
73	7.226	7.96	6.213	5.974	73	5.476	9.41	7.194	6.876
78	9.798	5.78	4.583	4.445	78	8.758	7.19	5.613	5.406
83	16.226	3.82	2.992	2.925	83	11.381	5.57	4.422	4.292
88	30.953	2.31	1.677	1.649	88	16.056	3.62	2.834	2.774
93	46.000	1.49	.943	.932	93	34.818	1.97	1.374	1.355
98	100.	.50	...	—	98	65.000	.94	.421	.417

If the foregoing columns are compared with each other, sex for sex, some remarkable contrasts are presented. In the first place, it will be found that the mortality of the male sex, throughout life, is greater at every age than that of the female. This characteristic had long been suspected, perhaps from the time of Kerseboom,\* but it had not by any means been admitted at the period when the above observation was framed. That Dr. Price and Joshua Milne evidently thought the distinction in the respective probabilities of life of the two sexes slight and of no moment, is manifest by their several tables of mortality, in which the male and female data are compounded to form a set of results which is applicable to neither case.

But not only is the mortality of the male sex higher throughout than that of the female in Mr. Finlaison's observation, but it also presents a peculiarity, at the age of twenty-three, which is present in so many other observations, as to appear to be a law of nature. This feature consists in a marked increase of the mortality at the particular age mentioned, which mortality afterwards diminishes to again re-augment to the same extent at an age long subsequent, viz. the age of forty-eight. The occurrence of a similar climax in the life of the mariner at the age of thirty-two, has also been shown by separate observations drawn by different observers from independent sources. This peculiarity, however, does not exist in the female table of mortality. Nor is this remarkable variation altogether unimportant, for it militates against a theory supported by one or two eminent mathematicians, to the effect that mankind dies in the order of a symmetrical curve. Mankind, however, does not do so, as far as observation informs us. Again, the respective chances of life, when displayed

\* Derde Verhandeling door den Heer Willem Kerseboom. In 's Gravenhaage, 1742.

in the form commonly called the expectation, or mean duration of life, and also when thrown into the still more practical shape of the money value of a life annuity, certainly present a striking superiority in favour of the female sex. In childhood—that is, at eight years of age—the female life is computed to possess five and a half years greater mean duration of life than the male; in womanhood, that is, at twenty-eight years of age, four and a half years; at the age of fifty-eight, three and a half years; and in old age, viz. seventy-eight years of age, one and a half years.

Viewed through the medium of the life annuity, the greater worth of the female life is equally evident. At the age of eight, the life annuity is worth nearly one year's purchase more to the female than to the male of the same age. At twenty-eight years of age, rather more than one year; and at the life annuity purchasing age of fifty-eight, rather more than one and a half years; and at seventy-eight, fully one year more. These are substantial differences in favour of the female sex. But they are in a great degree supported by further observation. And if the respective mortalities of the sexes are not confirmed to their fullest extent by later and more lengthened experience, it does not follow that the accuracy of Mr. Finlaison's deductions at the time when they were framed is questionable. For it should be kept in view that not only was the male experience of 1823 limited in number, but it was also alloyed by an introduction of assured life. While, on the other hand, the female annuitants, particularly those of the Sinking Fund, who were present in a majority of more than 40 per cent., were then observed in a great degree in all their newness of selection.

Before the observation of 1823, however, is brought into comparison with the wider observation of the present day, it will be interesting to contrast with it the Northampton table, which governed the charges of the National Debt Office from the year 1808, up to the period (1830), when Mr. Finlaison's measures of value were adopted.

Upon an examination of the Northampton table it will be seen that were it a question of purchasing a life annuity of 100*l.* at the age of 63 years by the Northampton table, the annuity, whether male or female, would be charged indiscriminately 891*l.* for the annuity; while by Mr. Finlaison's table the charge would be to a male 934*l.*, and to a female 1,092*l.* for the same benefit. In a letter addressed by Mr. Finlaison, on 30th April, 1827, to the Secretary of the Treasury, which letter was ordered to be printed 3rd April, 1828, No. 56, it was established that the loss sustained by the sale of life annuities was then advancing at the rate of 8,000*l.* every week, and during the previous three months had exceeded 95,000*l.* The grant of annuities was stopped on 5th July, 1828. It was resumed on 25th November, 1829.

In the course of the five years antecedent to the present year, 1860, there have been granted to 4,362 annuitants at the National Debt Office, 262,963*l.* of annuity. The annuities, therefore, averaged about 60*l.* each. The sexes present themselves in the proportion of one male to two females. By a reference to the amount of the consideration given in money, or money value of stock for the annuity sold, it would appear that the mean age of the annuitants is about 63 years. From these data it is not very difficult to form a near estimate of the loss saved to the public, and the additional amount thereby brought into the state coffers, by the adoption of Mr. Finlaison's tables in the stead of the discarded Northampton rates.

An annuity of 1*l.* to a male aged 63 is worth, by Mr. Finlaison's table, as we have just shown, 9·341 years' purchase at 3½ per cent. interest; and to a female of the same age a similar annuity is worth 10·922 years' purchase. One-third of the 262,963*l.* of annuity granted during the last five years, viz.: 87,654*l.* on the male lives, therefore, must have brought in of money 818,776*l.*; and the 2-3rds 175,309*l.* remaining for the female lives 1,914,725*l.* The whole annuity was purchased, consequently, for 2,733,501*l.*; but 262,963*l.* of annuity would have been sold without distinction of sex, to lives aged 63, at 8·91 years' purchase by the Northampton table, or for a sum of 2,343,000*l.*; accordingly, the loss prevented in the five years was 390,501*l.*, which is very nearly 1½ years' purchase of the annuity. If the same rate of saving or gain to the state is applied to the whole annuity purchased since the 25th November, 1829, as there has been about 1,967,000*l.* of life annuity granted from that date up to the present time, it may be estimated that the substitution of Mr. Finlaison's tables for the Northampton rates, has already made a difference to the country of nearly 3,000,000*l.*

The annual rate of mortality per cent., the expectation of life, and the present value of an annuity of 1*l.* (interest being taken at 3½ and at 4 per cent.) by the English Government life annuitant table, framed in 1860, for either sex, present, in nearly all respects, the same features as those which characterized the table framed thirty-five years previously in 1823. The mortality of the male throughout life, after the age of infancy, is heavier than that of the female. As was the case in the old table, it also shows a temporary increase at the age of twenty-three; but in the new table, the mortality at that age is not so heavy as in the old observation; for the per centage is not heavier than the per centage at forty-three years of age, whereas in the old observation it was as heavy as that taking place at forty-eight. In the new female table, the mortality per cent. at the ages of eight and thirteen is the same, while in the old table the mortality diminishes slightly from the first mentioned age of eight, where it is ·572, to the last stated period of life thirteen, where the per centage is ·477. But in the new table for females, the mortality per cent., between the ages of eight and thirteen, runs as follows:—8, ·613 per cent.; 9, ·570 per cent.; 10, ·549 per cent.; 11, ·551 per cent.; 12, ·573 per cent.; 13, ·613 per cent., showing that the minimum mortality occurs at the ages of ten and eleven years, while in the old table the mortality also came really to a minimum at the age of eleven.\* In the new female table the mortality is at an absolute minimum at the age of ten, with the very slightest shade of increase at the age of eleven. But in the natural fraction of this table, as distinguished from the fraction produced by the methods already described, the minimum is positively at the age of eleven. By a similar reference, it will also be seen that the minimum mortality takes place at the same age of eleven with the male sex. In any selection of a life at its highest vitality, it therefore is tolerably clear that a child of ten or eleven years old should be chosen. An exaggeration of the vitality of the female sex has been attributed to Mr. Finlaison. It should be remarked, however, that Mr. Finlaison, in maintaining the superiority of vitality proper to the female sex, never went further, virtually, than to affirm that, so far as he had

\* Which therefore would seem to be the best age at which to select a life of the female sex for insertion in a lease. See Report of 1829, p. 67.

observed annuitant life, that superiority existed to the extent laid down in his life tables.

The recent investigations, no doubt, appear to show that the disparity between the mean duration of male and female life, laid down by Mr. Finlaison from his observation, requires some degree of modification. Viewed through the medium of the "expectation," the disparity of the mean duration ascribed to the female in youth and middle age would seem to require material reduction. This result tends chiefly to show the necessity of a range, wider in point of time rather than in numbers, in order to get at the true proportion of deaths.

In 1823, probably not 16 per cent. of the Sinking Fund female life annuitants enrolled had died off, if we may judge from the numbers given, as observed up to 1st January, 1826, in the report of 1829. But of the 10,595 Sinking Fund female life annuitants observed up to July, 1856, 60 per cent. had gone off by death in a lapse of forty-eight years. A similar effect was evidenced in respect of the mortality of the friendly societies, where, although 800,000 persons passed under observation, the mortality returned was extremely low, owing to the experience being narrowed to a period of five years.

But although any statement of the difference of the mortality between the sexes seems rather large when viewed through the intervention of the expectation, the comparison is reduced to a better outline when contemplated through the more practical medium of the value of the annuity.

For practical purposes, the high vitality returned for the female sex by the observation of 1823 is contradicted in no very violent degree by the further and more extended observation of 1860. The ratios of the values of the life annuity to the one sex and to the other are, however, more steady and constant in the new observation than in the old. This, too, is probably the result of an experience more extended in point of time. Whether the variance of the new and old observations as against the female purchaser, which at the age of 53 amounts to nearly three-quarters of a year's purchase by the table now in use, and sinks again at the age of thirteen to as little as 3-100th parts of a year's purchase, or about four days' income, is substantial enough to suggest the necessity of a revision of the tables, will be better determined after a direct comparison of the value of the annuity in respect of each sex separately by the old tables at present in use, and tables deduced from the recent observation. This comparison will be made at two distinct rates of interest, viz.,  $3\frac{1}{4}$  per cent. and 4 per cent., answering to the prices 92 $\frac{3}{4}$  and 75 of Three per Cent. Stock respectively; in order to show not only the effect of the dealings at the price which has ruled on the average of the last thirty years, but also the effect at such a price as would be demanded were the stocks to be greatly and permanently depressed through any unforeseen circumstance.

The variance between the old tables and the new is very trifling indeed where the interests of the male sex are in question. So much so, as to be altogether unworthy of serious attention of either the vendors or purchasers. Where the female sex is concerned, however, the differences are of more importance. The new observation has a tendency to show that under the present system the vitality of the female life annuitant is somewhat too highly rated, and that although such modifications in the charges as might be made on this account would not be of very great moment in detail; yet that a change from the present rates to a tariff modified by the further

experience obtained in the last thirty-five years, would in practice probably affect the annual dealings of the National Debt Office to some considerable extent. Taken in the gross, the sum which the more extensive observation shows to be unnecessary to secure the Government against loss is probably too large to be overlooked, and possibly is sufficiently substantial to give by its removal additional inducement to the individual annuitant for further investment of capital or savings. But this is only a conclusion arrived at by the present investigation. It is impossible to predict with certainty that a further observation of the female annuitants taken some thirty years hence at the close of a new generation, may not restore the relative superiority of the female sex in point of vitality, to the proportions observed in 1822. It is in the very nature of statistics that they are liable to change, because the habits of a people change. The medical and sanitary sciences are progressing, and are beginning to obtain greater appreciation. It would be unreasonable to suppose that this fact will not and cannot have any effect on the duration of life. It is almost certain that any material improvement in the human physical constitution will be first observed in the diminution of the infantile and the female mortality. The greater perils of life to which the male is exposed in the ordinary course of a civilized existence may neutralize his portion of the general improvement for a long time to come; but with the female it is different, from the nature of her social position. Under all these circumstances, perhaps, the time has now come for considering whether it may not be proper to submit the whole subject to the Lords of the Treasury, in order that their lordships may determine whether the tables now acted upon for the grant of annuities should be in any degree modified.

## SUGAR.

*Return of the Quantities of Sugar imported and retained for Home Consumption, with Rate of Duty charged, and Revenue therefrom, from 1800 to 1859 inclusive; Account of the Imports into the United Kingdom of Sugar, Molasses, Rum, Coffee, Cocoa, and Cotton, from the West Indies, British Guiana, Mauritius, and the British Possessions in India, for the Years 1831 to 1859; also the Quantities of Foreign Sugar imported for the same period; and an Account of the Quantity of Refined Sugar and Sugar Candy imported into the United Kingdom in the Years 1848 to 1859. (Mr. Charles Forster.) 19th June, 1860. (394.)*

In 1800 there were imported 3,233,806 cwts. of unrefined sugar; and the quantity retained for actual consumption in the United Kingdom, 2,156,196 cwts.; the net revenue amounting to 2,162,141*l*. In 1801 the quantity imported was 4,181,366 cwts.; consumed, 3,198,315 cwts.; duty, 3,066,163*l*; average price Muscovado British West India sugar, exclusive of duty, 59*s*. 5*d*. per cwt. In 1811 the quantity imported was 4,060,545 cwts.; quantity consumed, 3,741,833 cwts.; amount of duty, 4,652,824*l*; average price, 45*s*. In 1821 the quantity imported was 4,373,166 cwts.; consumed, 3,412,240 cwts.; amount of duty, 4,188,997*l*; average price, 33*s*. 2*d*. In 1831 the quantity imported was 5,366,263 cwts; consumed, 4,076,251 cwts.; amount of duty, 4,650,606*l*; average price, 23*s*. 8*d*. In 1841 the quantity

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imported was 4,905,018 cwts.; consumed, 4,057,878 cwts.; amount of duty, 5,114,390*l.*; average price, 39*s.* 8*d.* In 1851 the quantity imported was 7,932,534 cwts.; consumed, 6,233,547 cwts.; amount of duty, 3,979,141*l.*; average price, 25*s.* 6*d.* per cwt. In 1859 the quantity imported was 9,098,544 cwts.; consumed, 8,641,920 cwts.; amount of duty, 5,935,909*l.*; average price, 26*s.* 7*d.* per cwt.

In 1801 the rates of duty on sugar were—British West India brown or Muscovado, 1*l.* per cwt.; East India and Mauritius, 3*s.* 2*d.* per cwt., and 42*l.* 16*s.* 3*d.* per cent. *ad val.*; foreign, 1*l.* 14*s.* per cwt.; refined sugar, foreign, 5*l.* 5*s.* 5½*d.* per cwt.; brown sugar candy, foreign, 3*l.* 0*s.* 6*d.* per cwt., and 3*l.* per cent. *ad val.*; white sugar candy, foreign, 4*l.* 10*s.* 9*d.* per cwt., and 3*l.* per cent. *ad val.* In 1811 the duty on British West India was 1*l.* 7*s.* per cwt.; East India, 1*l.* 10*s.* per cwt., and 1*l.* per cent. *ad val.*; foreign brown or Muscovado, 3*l.* per cwt.; refined sugar, foreign, 8*l.* 8*s.* 4*d.* per cwt.; brown sugar candy, foreign, 4*l.* 16*s.* per cwt.; white sugar candy, 7*l.* 13*s.* 4*d.* per cwt. In 1821, the duty was,—British West India brown, 1*l.* 7*s.* per cwt.; East India and Mauritius, 1*l.* 17*s.* per cwt.; foreign brown, 3*l.* per cwt.; refined sugar, 8*l.* 8*s.* per cwt.; brown sugar candy, 5*l.* 12*s.* per cwt.; and white sugar candy, 8*l.* 8*s.* per cwt. In 1831, British West India and Mauritius brown Muscovado or clayed, 1*l.* 4*s.* per cwt.; East India, 1*l.* 12*s.* per cwt.; foreign, 3*l.* 3*s.* per cwt.; refined sugar, foreign, 8*l.* 8*s.* per cwt.; brown sugar candy, 5*l.* 12*s.* per cwt.; white sugar candy, foreign, 8*l.* 8*s.* per cwt. In 1841, the duty was,—British West India and Mauritius, 1*l.* 5*s.* 2½*d.* per cwt.; and 5 per cent.; East India, of British possessions within East India Company's charter, 1*l.* 5*s.* 2½*d.* per cwt.; and of other British possessions, 1*l.* 13*s.* 7½*d.* per cwt.; foreign brown Muscovado or clayed, 3*l.* 6*s.* 1½*d.* per cwt.; refined sugar, foreign, 8*l.* 16*s.* 4½*d.* per cwt.; brown sugar candy, 5*l.* 17*s.* 7½*d.* per cwt.; and white sugar candy, foreign, 8*l.* 16*s.* 4½*d.* per cwt. In 1851, the duty was,—sugar of any British possession, into which the importation of foreign sugar is prohibited, 11*s.* 8*d.* per cwt., equal to white clayed, and 10*s.* per cwt. not equal to white clayed. Of other British possessions—14*s.*, equal to white clayed; 13*s.*, equal to brown clayed, but not equal to white clayed; 12*s.*, not equal to brown clayed; foreign sugar, 16*s.* 4*d.*, per cwt., equal to white; 15*s.* 6*d.*, equal to brown clayed, but not equal to white clayed; 14*s.*, not equal to brown clayed. Of any British possessions, into which the importation of foreign sugar is prohibited, 13*s.* 4*d.*, per cwt.; of other British possessions, 17*s.*, per cwt.; foreign, 1*l.* 8*s.* per cwt. In 1859, the duty was,—of all sorts, of whatever growth and whencesoever imported, equal to white clayed, 16*s.* per cwt.; not equal to white clayed, 13*s.* 10*d.* per cwt.; not equal to brown clayed, 12*s.* 8*d.* per cwt.; refined sugar and sugar candy, in all sorts, of whatever growth, and whencesoever imported, 18*s.* 4*d.* per cwt.

The importation of British West India sugar was as follows:—In 1831, 4,805,449 cwts.; 1841, 4,124,748 cwts.; 1851, 5,661,573 cwts.; and 1859, 5,230,225 cwts. From Antigua there were imported in 1831, 193,177 cwts.; in 1841, 144,103 cwts.; in 1851, 200,234 cwts.; and in 1859, 196,701 cwts. From Barbadoes,—in 1831, 379,052 cwts.; in 1841, 257,108 cwts.; in 1851, 583,840 cwts.; in 1859, 591,368 cwts. From Dominica,—in 1831, 56,339 cwts.; in 1841, 42,342 cwts.; in 1851, 60,239 cwts.; in 1859, 62,550 cwts. From Granada,—in 1831, 185,771 cwts.; in

1841, 84,270 cwts.; in 1851, 121,381 cwts.; in 1859, 94,069 cwts. From Jamaica,—in 1831, 1,429,093 cwts.; in 1841, 528,585 cwts.; in 1851, 627,823 cwts.; and in 1859, 428,925 cwts. From Montserrat,—in 1831, 26,137 cwts.; in 1841, 10,839 cwts.; in 1851, 7,675 cwts.; and in 1859, 3,376 cwts. From Nevis,—in 1831, 49,924 cwts.; in 1841, 12,124 cwts.; in 1851, 33,309 cwts.; and in 1859, 33,419 cwts. From St. Christopher,—in 1831, 101,968 cwts.; in 1841, 63,936 cwts.; in 1851, 122,030 cwts.; and in 1859, 116,663 cwts. From St. Lucia,—in 1831, 72,376 cwts.; in 1841, 51,115 cwts.; in 1851, 69,930 cwts.; in 1859, 82,647 cwts. From St. Vincent,—in 1831, 221,662 cwts.; in 1841, 110,205 cwts.; in 1851, 163,409 cwts.; in 1859, 124,475 cwts. From Tobago,—in 1831, 121,249 cwts.; in 1841, 48,164 cwts.; in 1851, 45,129 cwts.; in 1859, 58,501 cwts. From Tortola,—in 1831, 15,559 cwts.; in 1841, 8,397 cwts.; in 1851, 3,078 cwts.; in 1859, nothing. From Trinidad,—in 1831, 327,167 cwts.; in 1841, 281,606 cwts.; in 1851, 441,772 cwts.; in 1859, 538,150 cwts. From Bahamas,—in 1831, nothing; in 1841, 100 cwts.; in 1851, nothing; in 1859, 191 cwts. From Bermuda,—in 1831, 104 cwts.; in 1841, nothing; in 1851, 833 cwts.; in 1859, nothing. From Demerara,—in 1831, 802,134 cwts.; in 1841, 415,261 cwts.; in 1851, 521,216 cwts.; in 1859, 736,655 cwts. From Berbice,—in 1831, 122,088 cwts.; in 1841, 90,063 cwts.; in 1851, 73,986 cwts.; in 1859, 59,958 cwts. From Mauritius,—in 1831, 516,076 cwts.; in 1841, 704,948 cwts.; in 1851, 1,000,269 cwts.; in 1859, 1,169,341 cwts. From British possessions in India,—in 1831, 161,779 cwts.; in 1841, 1,240,883 cwts.; in 1851, 1,574,473 cwts.; in 1859, 895,108 cwts. From Ceylon,—in 1831, nothing; in 1841, 4 cwts.; in 1851, 4,874 cwts.; in 1859, 4,000 cwts. From Singapore,—in 1831, 23,794 cwts.; in 1841, 30,695 cwts.; in 1851, 6,083 cwts.; in 1859, 34,119 cwts.

Of rum there was imported from the British West India Islands, British Guiana, Mauritius, and the British possessions in the East Indies, in 1831, 7,847,783 gallons; in 1841, 3,872,382 gallons; in 1851, 4,652,232 gallons; and in 1859, 6,608,369 gallons.

Of coffee, there were imported from the same British possessions,—in 1831, 27,673,988 lbs.; in 1841, 25,885,910 lbs.; in 1851, 36,777,717 lbs.; and in 1859, 51,701,721 lbs.

Of cocoa,—in 1831, 1,491,947 lbs.; in 1841, 2,920,305 lbs.; in 1851, 4,349,051 lbs.; in 1859, 4,211,185 lbs.

Of cotton wool from British West Indies and British Guiana,—in 1831, 2,401,685 lbs.; in 1841, 1,532,117 lbs.; in 1851, 446,529 lbs.; in 1859, 592,256 lbs. From East India,—in 1831, 25,805,153 cwts.; in 1841, 97,008,199 lbs.; in 1851, 120,010,443 lbs.; in 1859, 190,520,400 lbs. From Ceylon,—in 1831, nothing; in 1841, 339,454 lbs.; in 1851, 2,616,519 lbs.; in 1859, 1,807,120 lbs. Total from British possessions,—in 1831, 28,206,838 lbs.; in 1841, 98,920,270 lbs.; in 1851, 123,075,603 lbs.; in 1859, 194,255,264 lbs.

Of foreign sugar, there were imported,—in 1831, 583,216 cwts.; in 1841, 811,376 cwts.; in 1851, 2,713,335 cwts.; in 1859, 4,110,768 cwts.

## FOREIGN SUGAR.

*Return of the Quantity of Foreign Sugar entered for Home Consumption during each Year, from 1831 to 1859 inclusive, distinguishing Refined from Unrefined; and also the several places from whence such Sugar was imported. (Mr. Charles Forster.) 8th February, 1860. (395.)*

Of unrefined and refined foreign sugar, there were retained for home consumption in the United Kingdom,—in 1831, 93 cwts.; in 1841, 283 cwts.; in 1851, 1,681,195 cwts.; and in 1859, 3,751,460 cwts. From Cuba there were imported,—in 1831, 3 cwts.; in 1841, 150 cwts.; in 1851, 617,979 cwts.; and in 1859, 1,626,386 cwts. From Porto Rico,—in 1831, 5 cwts.; in 1841, 21 cwts.; in 1851, 183,350 cwts.; in 1859, 179,080 cwts. From Brazil,—in 1831, 30 cwts.; in 1841, 27 cwts.; in 1851, 300,788 cwts.; in 1859, 932,086 cwts. From Java,—in 1831, nothing; in 1841, nothing; in 1851, 17,449 cwts.; in 1859, 100,661 cwts. From Philippine Islands,—in 1831, 2 cwts.; in 1841, 1 cwt.; in 1851, 87,782 cwts.; in 1859, 300,048 cwts. From Holland,—in 1831, nothing; in 1841, 18 cwts.; in 1851, 260,565 cwts.; in 1859, 121,207 cwts. From Belgium,—in 1831, nothing; in 1841, nothing; in 1851, 59,590 cwts.; and in 1859, 106,751 cwts.

## CUSTOMS, EXCISE, ETC.

*A Return of the Amount of Customs Duties collected in each Year from 1816 to 1858, both inclusive, exclusive of Drawbacks and Bounties, and distinguishing the Cost of Collection, and the Net Sum available for the Exchequer in each Year; also, of the Amount of Excise Duties, Stamps, and Taxes, as collected under the Separate Boards and the United Board of Inland Revenue, and showing the Aggregate Amount in each Year, and distinguishing the Cost of Collection, and the Net Aggregate Sum available for the Exchequer. (Mr. Wilson.) 1st March, 1859. (101.)*

RETURN of the Amount of CUSTOMS DUTIES collected in each Year from 1816 to 1858, both inclusive, exclusive of DRAWBACKS and BOUNTIES, and distinguishing the Cost of Collection, and the Net Sum available for the Exchequer in each Year; also, of the Amount of EXCISE DUTIES, STAMPS, and TAXES, as collected under the Separate Boards and the United Board of Inland Revenue, and showing the Aggregate Amount in each Year, and distinguishing the Cost of Collection, and the Net Aggregate Sum available for the Exchequer (so far as relates to the Customs Department).

		Customs Duties.	Excise.	Stamps.	Taxes.
		Net			
		£	£	£	£
Years ended 5th January.	1816	12,373,592	29,385,747	6,373,667	21,618,123
	1817	9,716,431	25,169,436	6,472,169	18,476,798
	1818	11,258,374	21,483,312	6,861,169	10,002,748
	1819	11,638,747	24,741,555	6,904,560	8,331,780
	1820	10,871,310	24,894,990	6,666,712	7,858,734
	1821	9,837,279	27,929,832	6,562,253	7,750,011
	1822	10,582,763	28,183,051	6,513,599	7,814,690
	1823	10,663,617	27,283,408	6,632,546	7,218,844
	1824	11,498,763	25,342,827	6,801,950	6,206,927
	1825	11,327,741	26,768,039	7,244,042	4,922,070
	1826	16,541,524	21,004,487	7,447,924	4,990,961
	1827	17,280,712	19,172,019	6,702,350	4,702,743
	1828	17,894,405	18,438,707	6,811,226	4,768,373

—		Customs Duties.	Excise.	Stamps.	Taxes.
		Net			
		£	£	£	£
Years ended 5th January.	1829	17,235,408	20,759,684	7,107,950	4,849,303
	1830	17,211,840	19,540,010	7,101,304	4,896,567
	1831	17,540,323	18,644,383	7,058,121	5,013,405
	1832	16,516,271	16,303,025	6,947,828	4,864,343
	1833	16,794,992	16,611,036	6,951,843	4,943,967
	1834	16,208,940	16,543,711	6,928,310	4,892,058
	1835	18,402,529	14,892,022	7,016,726	4,550,613
	1836	20,366,647	13,248,625	7,000,223	3,676,523
	1837	21,488,492	14,554,393	7,192,088	3,689,762
	1838	20,539,149	13,419,271	6,869,840	3,677,748
	1839	20,846,246	13,632,171	7,050,582	3,654,819
	1840	21,583,997	13,509,635	7,004,982	3,711,796
	1841	21,784,500	13,751,968	7,168,625	3,946,444
	1842	21,898,845	13,678,835	7,135,217	4,482,911
	1843	21,025,145	12,517,646	6,982,952	4,844,648
	1844	21,033,717	12,877,529	6,948,137	9,439,747
	1845	22,504,822	13,308,050	7,157,287	9,408,085
	1846	20,196,856	13,585,582	7,710,683	9,250,412
	1847	20,558,909	13,988,310	7,505,179	9,667,800
	1848	20,024,431	12,883,677	7,527,542	9,785,361
	1849	20,999,132	14,154,055	6,643,772	9,662,069
	1850	20,636,921	13,985,363	6,867,548	9,712,009
	1851	20,442,170	14,316,084	6,558,332	9,743,215
	1852	20,615,338	14,442,081	6,385,082	8,868,885
	1853	20,551,542	14,835,073	6,761,634	8,887,480
	1854	20,902,734	15,337,724	6,975,417	8,742,039
Quarter ended 5th April.	1854	4,705,207	2,335,090	1,790,260	2,880,672
		Gross.	Gross.	Gross.	Gross.
Years ended 31st March.	1855	21,429,904	16,695,537	7,093,777	13,803,261
	1856	23,034,029	17,117,373	7,076,011	18,170,989
	1857	23,321,843	18,165,000	7,372,209	19,206,980
	1858	23,109,104	17,825,000	7,415,719	14,738,148

## NOTE.

*Amount of Customs Duties Collected.*—During the earlier years of the period comprehended in this return, the duties on various articles of imported merchandise (among which were tea, tobacco, wine, spirits, and coffee), were collected wholly, or in part, by the Excise. Before the commencement of the second quarter of 1825, the undivided collection of the duties on all these articles, except tea, was assigned to the Customs; and on 22nd April, 1834, the duties on tea also became a branch of the Customs revenue exclusively. (The duties in question are, up to the periods stated, included in the "Excise" account.)

*Charges of Collection.*—Under the head of "Charges of Collection," there is given for each year the aggregate sum which was shown under the same designation, or under the equivalent designation of "Charges of Management." The rule observed in the separation of charges of collection or management from other expenses paid out of the revenue has not, however, been uniform throughout the period which this return embraces. The chief particulars in which it has varied are these:—1st. That from 1822 to 1853 inclusive, the expenses of the warehousing department, which had previously been classed with charges of collection, were, conformably to an arrangement approved by a Parliamentary committee, detached from that head, and carried to a separate account, as payments for national objects; but subsequently to 5th April, 1854, the same expenses have again been included with charges of collection. 2nd. That the expenses of the coast guard, heretofore borne by the revenue of Customs, and classed with charges of collection, have, since 1st October, 1856, been defrayed by the Admiralty. And 3rd. That the superannuation allowances granted to retired officers of the Customs, which were brought to account among the charges of collection until 5th April, 1854, have, from that date, ceased to be so treated, and are now separately voted by Parliament.

From 1st April, 1854, the cost of collection has been defrayed from votes of Parliament, and the gross revenue made available for the Exchequer, per Act 17 and 18 Vict. c. 94. The difference between the amount entered as collected in each year, and the net sum available for the Exchequer, arises from bills and balances outstanding at the termination of each year.

## SAVINGS BANKS.

*Return respecting the Capital and Interest of Savings Banks Funds in the hands of the Commissioners for the Reduction of the National Debt, contained in Nos. 1, 2, and 4 of the Appendix to the Report of the Select Committee of 1858, combined together and continued down to November, 1859. (Mr. Ayrton.) 28th February, 1860. (117.)*

Year ending 30th Nov.	Balance due to Trustees at the close of each Year.	Gross Total of Securities held by Commissioners.	Year ending 30th Nov.	Balance due to Trustees at the close of each Year.	Gross Total of Securities held by Commissioners.
	£	£		£	£
1817	231,028	279,330	1839	22,486,553	22,745,226
1818	1,697,853	2,118,080	1840	23,549,716	23,756,604
1819	2,813,023	3,578,605	1841	24,536,971	24,714,950
1820	3,469,910	4,414,096	1842	25,406,642	25,604,678
1821	4,740,188	5,923,899	1843	27,244,266	27,142,125
1822	6,546,690	7,929,398	1844	29,653,180	28,976,242
1823	8,684,662	10,190,418	1845	30,950,983	30,818,592
1824	11,720,629	13,321,632	1846	31,851,238	31,583,042
1825	13,257,708	14,870,461	1847	30,236,632	30,007,342
1826	13,135,218	14,628,388	1848	28,233,032	27,301,972
1827	14,188,708	15,468,827	1849	28,699,550	27,655,222
1828	15,358,504	16,656,988	1850	29,129,205	28,321,822
1829	14,791,495	15,798,788	1851	30,445,568	29,598,822
1830	14,860,188	15,782,038	1852	31,912,413	31,003,822
1831	14,698,635	15,489,638	1853	33,510,771	32,381,383
1832	14,416,885	14,938,638	1854	33,909,302	32,744,567
1833	15,324,794	15,743,337	1855	34,410,694	32,940,603
1834	16,386,035	17,705,458	1856	35,119,585	33,203,171
1835	17,469,617	17,705,458	1857	35,255,722	33,384,353
1836	18,934,591	18,912,036	1858	36,391,407	33,799,104
1837	19,711,797	19,763,925	1859	39,179,078	37,260,642
1838	21,446,341	21,753,490			

## TARIFFS.

*Return of the New and Old Rates of Duty upon the several Articles (so far as the same can be given) levied by the Tariff of Foreign Countries in which alterations have been made, and showing the Percentage Increase or Decrease of Duties, and the Dates of their Alterations, from the 1st August to the 31st December, 1859.*

**RUSSIA** (*except Poland and Ports of Sea of Azoff*).—The import duties on iron were altered on the 19th June, 1859, when a reduction of 66 per cent. was made on cast-iron raw, from 5·70s. to 1·90s. per 36 lbs.; of 12½ per cent. on rail and scrap by the White Sea, and 30 per cent. by the Baltic and Black Sea, from 1s. 3·2d. and 1s. 7d. to 1s. 1·30d. per 36 lbs.; of 50 per cent. on bar iron of less than ½-inch by the Black Sea, and 30 per cent. by land, from 2s. 2·6d. and 1s. 7d. to 1s. 1·3d.; of 35½ per cent. on assorted iron by the Black Sea, from 2s. 2·6d. to 1s. 5·10d. per 36 lbs.;

and a reduction of 22,33 per cent. on boiler-plate, sheet, and steel, from 2s. 10-20d. to 2s. 2-6d.

**ZOLLVEREIN.**—On the 1st January, 1860, reductions were made on import duties of 85 per cent. on castor oil in casks; of 50 per cent. on india-rubber plates, from 18s. to 9s. per 110½ lbs.; of 50 per cent. on tallow, from 6s. to 3s. per 110½ lbs.; of 50 per cent. on pasteboard covers, from 3s. to 1s. 6d.; of 27·28 per cent. on dyed silk and fleur-de-silk, also yarn of cotton and silk twisted, from 1l. 13s. to 1l. 4s. per 110½ lbs. All duties were removed from ice, asphaltum, coal tar, and cement. On the 28th May, 1859, the exportation of cattle and other animals was also rendered free.

**WURTEMBERG.**—The prohibition to export cattle, horses, oats, and gunpowder, beyond the western frontiers of the Zollverein was removed on the 28th May, 1859.

**FRANCE.**—On the 9th January, 1859, the import duty on feathers was removed. The duty on grease extracted from skins from India was reduced 95 per cent., if imported in French vessels, from 16s. to 9s. 6d.; and in foreign vessels, 85·57 per cent., from 1l. 2s. 2d. to 3s. 2·4d. per 110·20 lbs. A reduction of 90 per cent. on sago from India and French colonies in America in French vessels; of 33·33 per cent. on sesame. The duty on flax or linseed from Zealand for sowing was removed. The duty on bark, Quinquina Peruvian, was reduced 50 per cent. The duty on cochineal from French colonies was removed. The duty on sarsaparilla was reduced 86 per cent. The duty on iris of Florence reduced 87·50 per cent. The duty on aloes from countries beyond Europe was increased 1,100 per cent. in French vessels, and 96·75 in foreign vessels. The duty on benjoin from countries beyond Europe was reduced 90 per cent. in French vessels. The duty on balsam copaiva from out of Europe was reduced 90·28 per cent.; on cotton from India, 50 per cent., in French vessels, from 4s. to 2s. per 110·20 lbs.; and 84·25 per cent., in foreign vessels, from 14s. to 2s. 2·4d. per 110 lbs. The duty on wood for ebonists' trade of more than 8 inches thick was reduced from 14·29 to 72 per cent.; and the duty on wood for buildings was removed. The duty on steel was altered; on copper was reduced 40 per cent., from 1l. to 12s. per 110·20; and the duties on detached pieces of agricultural machinery were altered. On the 14th July, 1859, the prohibition to export articles of war was removed. And the export duty was removed on sulphate of iron from Corsica.

**PORTUGAL—Cape Verde Islands.**—Horned cattle, sheep, &c., were to be imported duty free from May 23, 1859, to the end of 1863. The duties on hogs' lard, mutton, beef, was reduced 90 per cent., and a duty was imposed on Indian corn flour of 10s. 8d. per barrel.

**AUSTRIA.**—In October, 1859, the import duty on Servian pigs was increased from 4s. to 16s. each.

**TUSCANY.**—On the 5th September, 1859, the export duty on alabaster was reduced 83 per cent. from 2s. to 0·4d. per 75 lbs., and on works of art 50 per cent., from 8d. to 0·4d.

**ROME.**—On the 19th May, 1859, the export of all articles of food was prohibited; and on the 30th June, 1859, the prohibition of export of maize was removed.

**TWO SICILIES.**—From the 22nd July to the 31st December, 1859, the import duty on wheat and maize was removed. The free admission of the same was afterwards, on the 29th August, prolonged to June, 1860.

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**HAYTI—Port-au-Prince.**—The export duty on coffee was fixed on the 17th June, 1859, at 7s. per 110 lbs.

**BRAZIL.**—On the 30th September, 1859, the monopoly of exportation and sale of Brazilian dye-wood was abolished, and 15 per cent. import duty was imposed. The *ad valorem* duty on the export of cotton, coffee, sugar, &c., was reduced to 10 per cent.

**ARGENTINE REPUBLIC.**—The import duty on all goods imported was increased from 12 per cent. to 20 per cent. *ad valorem*.

**CHILE.**—On the 23rd September, 1859, fire-arms, side-arms, gunpowder, and other warlike stores, were prohibited to be imported without special licence. Powder for mines may be imported at the port of Valparaiso only. An export duty of 4 per cent. *ad valorem* was imposed on copper, smelted by Chilian coal, on the 30th May, 1859.

#### FRIENDLY SOCIETIES.

*Return respecting the Capital and Interest of Friendly Societies' Funds in the hands of the Commissioners for the Reduction of the National Debt, similar to the Return relating to Savings Banks, ordered on the 3rd of February, 1860. (Mr. Ayrton.) 24th August, 1860. (245.)*

Year ending 20th Nov.	Balance due to Trustees at the close of each Year.	Gross Total of Securities held by the Commissioners.	Year ending 20th Nov.	Balance due to Trustees at the close of each Year.	Gross Total of Securities held by the Commissioners.
	£	£		£	£
1822	3,390	3,816	1841	1,306,949	1,286,200
1823	4,230	4,604	1842	1,449,244	1,384,500
1824	60,424	62,718	1843	1,609,288	1,550,300
1825	69,555	70,200	1844	1,770,775	1,691,300
1826	101,337	108,900	1845	1,913,056	1,842,300
1827	126,348	137,400	1846	1,951,392	1,869,300
1828	142,118	144,500	1847	1,961,553	1,857,000
1829	183,340	192,900	1848	2,003,635	1,865,300
1830	251,701	259,200	1849	2,103,281	1,952,300
1831	302,671	312,500	1850	2,277,340	2,123,400
1832	358,865	370,400	1851	2,393,941	2,221,400
1833	415,548	428,000	1852	2,458,971	2,259,450
1834	520,926	531,800	1853	2,386,225	2,165,050
1835	597,108	600,600	1854	2,199,549	1,922,650
1836	680,521	677,200	1855	2,040,346	1,718,850
1837	805,917	800,300	1856	1,952,336	1,594,150
1838	952,768	947,100	1857	1,944,991	1,555,550
1839	1,096,810	1,084,600	1858	1,980,682	1,544,850
1840	1,217,765	1,169,100	1859	2,001,754	1,538,650

## POOR LAW BOARD.

*Twelfth Annual Report of the Poor Law Board for 1859-60.*

We are happy to be able to state, that since the Poor Law Amendment Act came into operation the sum annually expended for "Relief to the Poor" has very largely decreased, and that this expenditure is in a diminishing ratio when compared with the population and wealth of the country. The Poor Law Amendment Act came into operation in the autumn of 1834. During the twenty-two years preceding, that is, from 1813 to 1834, the aggregate sum expended for the relief of the poor in England and Wales was 143,110,817*l.*, a sum equivalent to an annual average disbursement of 6,505,037*l.* In the subsequent twenty-five years, that is, from 1835 to 1859, the aggregate sum expended was 129,226,833*l.*, a sum equivalent to an annual average expenditure of 5,169,073*l.* Hence, during a quarter of a century there has been an average annual decrease of 1,335,964*l.*, and a total decrease during the twenty-five years of 33,399,100*l.* This saving has been effected notwithstanding the heavy additional burdens which have been imposed upon the poor rates, and charged in the item "relief to the poor," since 1834. Two of these burdens, the cost of the new union workhouses and the salaries of the paid union officers, have not averaged less than 800,000*l.* a year; 200,000*l.* a year for the former, and 600,000*l.* for the latter; being a total amount of 20,000,000*l.* for the two charges together during the twenty-five years in question. The diminution of the law charges, and of the expenses of the removal of paupers, since 1834, has been a marked feature in the recent administration of the Poor Law. In the years 1833 and 1834 these expenses averaged 256,508*l.* per annum; in the four following years they averaged 148,973*l.* In subsequent years these items declined still more; and according to the latest returns, namely, those of 1857, the amount was only 80,733*l.*, or less than one-third of the average expenditure of 1833 and 1834.

The decrease, if viewed in relation to the population, is equally satisfactory. The average annual population from 1813 to 1834 was 12,583,000; the rate per head on that number for relief was 10*s.* 4*d.*; the average population from 1835 to 1859 was 17,087,297, and the rate per head 6*s.* 0½*d.*, or a decrease of 4*s.* 3½*d.* per head; that is, 42 per cent. Had the expenditure from 1835 to 1859 remained at 10*s.* 4*d.* per head, the total sum expended in relief during the last quarter of the century would have been 220,705,900*l.*, instead of 129,226,833*l.*, or ninety-one millions more than has been actually expended. The decrease in relation to the wealth of the country, so far as any comparison can be instituted, is also remarkable. No strict comparison between the expenditure for relief and the income of the country is practicable, owing to the fact that no accurate statistics exist of the annual profits and earnings of the people. There are, however, one or two important exponents of the wealth of the community with which the relief expenditure may be compared. The first is the annual value of real property assessed to the property tax. The property tax assessment (under Schedule A.) falls very nearly upon the same property as that upon which the poor rate is levied. In 1815 the assessment in question was 51,898,423*l.*; the average expenditure for relief in the three years 1814, 1815, and 1816 was 5,812,755*l.*, which was equal to a rate of 2*s.* 3*d.* in the pound on the property tax assessment. In 1857 the annual value of real property was



103,496,253*l.*; the average expenditure for relief in the three years 1856, 1857, and 1858 was 5,778,662*l.* or, 1*s.* 1½*d.* in the pound. It will be thus seen that a decrease of 50 per cent. had taken place in the latter as compared with the former period.

The second mode of instituting a comparison is the declared value of imports and exports of the United Kingdom, by which the expansion of trade, commerce, and manufactures is indicated. During the five years ended on the 31st December, 1833, the declared value was on the average 83,567,482*l.*; the average expenditure for relief during the five nearest parochial years, that is, from 1830 to 1834, was 6,754,591*l.* Had this sum been raised by a tax upon the imports and exports it would have required a levy of 1*s.* 7½*d.* in the pound. But during the five years ended with 1858 the average declared value had risen to 295,718,831*l.*; the average relief of the five years ended at Lady Day, 1859, was 5,845,980*l.*, or 4½*d.* in the pound only on the declared value of the imports and exports. Regarded through this medium, the poor rate expenditure has decreased upwards of 75 per cent.

A minor but perhaps not less interesting exponent of the country's wealth is found in the amount of deposits in the savings banks of England and Wales. In the three years 1832, 1833, and 1834 the average amount of deposits and interest in the savings banks of England and Wales was 15,697,354*l.*; the average relief in the three parochial years 1832, 1833, and 1834 was 6,715,008*l.* Thus, for 1*l.* annually spent in relief, 2*l.* 6*s.* 9*d.* had been accumulated in the savings banks. But in the three years 1855, 1856, and 1857, the deposits and interest had risen to an average of 36,830,795*l.*, and the relief for the three parochial years 1855, 1856, and 1857 was on the average 5,931,014*l.*; so that for 1*l.* yearly paid in relief, 6*l.* 4*s.* 2*d.* had been placed in the savings banks. The accumulated savings had gained upon the annual relief in a ratio nearly threefold. A consideration of these facts and figures would appear to show conclusively that the expenditure for the relief of the poor is, as shown under the relations just adverted to, about two-thirds less than it was previously to the passing of the Poor Law Amendment Act, and this decrease it will be remembered has taken place notwithstanding the large items of additional cost to which we have adverted. The following table exhibits the expenditure for the relief of the poor for each year from 1834 to 1859:—

Years ended at Lady Day.	Estimated Population.	The Total expended.	Rate per Head.		Years ended at Lady Day.	Estimated Population.	The Total expended.	Rate per Head.	
		£	s.	d.			£	s.	d.
1834	14,372,000	6,317,255	8	9½	1847	17,076,000	5,298,787	6	2½
1835	14,564,000	5,526,418	7	7	1848	17,304,000	6,180,764	7	1½
1836	14,758,000	4,717,630	6	4½	1849	17,534,000	5,792,963	6	6½
1837	14,955,000	4,044,741	5	5	1850	17,765,000	5,395,022	6	1
1838	15,155,000	4,123,604	5	5½	1851	17,927,609	4,962,704	5	6½
1839	15,357,000	4,406,907	5	8½	1852	18,205,000	4,897,685	5	4½
1840	15,562,000	4,576,965	5	10½	1853	18,402,000	4,939,064	5	4½
1841	15,911,757	4,760,929	6	0½	1854	18,617,000	5,282,853	5	8
1842	15,981,000	4,911,498	6	1½	1855	18,840,000	5,890,041	6	3
1843	16,194,000	5,208,027	6	5½	1856	19,043,000	6,004,244	6	3½
1844	16,410,000	4,976,093	6	0½	1857	19,207,000	5,898,756	6	1½
1845	16,629,000	5,039,703	6	0½	1858	19,444,000	5,878,542	6	0½
1846	16,851,000	4,954,204	5	10½	1859	19,578,000	5,558,689	5	8½
Average of the 25 years (1835 to 1839) -					-	-	-	6	0½

The sum of 5,558,689*l.* was expended for the relief of the poor during the year which ended the 25th of March, 1859, being a decrease of 319,853*l.* as compared with the sum expended during the preceding year, or 5·4 per cent., the rate per head being 6*s.* 0½*d.* in 1858, and 5*s.* 8½*d.* in 1859, or a decreased rate of 4½*d.*

The net annual value of rateable property in 1841 was 62,540,030*l.*; in 1847 it was 67,320,587*l.*; in 1850 it was 67,700,153*l.*; and in 1856 it was 71,840,271*l.* The gross estimated rental for 1856 was 86,077,676*l.* The rate in the pound of the sum expended being in 1841, 1*s.* 6·3*d.*; 1847, 1*s.* 6·9*d.*; 1850, 1*s.* 7·1*d.*; and in 1856, gross, 1*s.* 4·7*d.*; and net, 1*s.* 8·1*d.*

The amount expended for relief only, in 628 unions and parishes under Boards of Guardians (comprising a population of 16,529,865, census 1851), was as follows:—In the year ended Lady Day, 1858, there were expended in in-maintenance, 946,575*l.*; in out-relief, 2,981,410*l.*; total, 3,927,985*l.* In the year ended Lady Day, 1859, in in-maintenance, 844,801*l.*; in out-relief, 2,777,477*l.*; total, 3,622,278*l.*; showing a decrease of 101,774 in in-maintenance, 203,933*l.* in out-relief, or a total of 305,707*l.*, or 7·8 per cent. In the year ended Michaelmas, 1858, there were expended in in-maintenance, 916,101*l.*; in out-relief, 2,929,006*l.*; total, 3,845,107*l.* And in the year ended Michaelmas, 1859, in in-maintenance, 805,223*l.*; in out-relief, 2,732,942*l.*; total, 3,538,165*l.*; showing a decrease in in-maintenance of 110,878*l.*; in out-door relief of 196,064*l.*; total, 306,942*l.*, or 8·0 per cent.

The amount expended for in-maintenance and out-door relief to irremovable paupers during the year ending at Lady Day, 1859, was 792,713*l.*, or 23·31 per cent. of the total expenditure, and 1*s.* 0·2*d.* per head on the population.

The numbers of paupers of all classes in receipt of relief on the 1st day of July, 1859, and on the 1st day of January, 1860, respectively, in the 646 unions and parishes under Boards of Guardians, are shown in the following summaries of returns received from the unions and parishes:—On the 1st July, 1858, there were 801,763 persons in receipt of relief of all classes except insane and vagrants, 21,764 insane, 2,069 vagrants; total of all classes 825,596. On the 1st July, 1859, there were 784,108 persons of all classes except insane and vagrants, 30,707 insane, 2,267 vagrants; total of all classes 817,082; showing an increase on 1st July, 1859, compared with 1st July, 1858, of 8,943 insane persons (this apparent increase arises from the fact that pauper lunatics in asylums were not included in many of the returns made to the Board for the 1st July, 1858, but were included in all those for 1st July, 1859), 198 vagrants, or a decrease of 8,514 or 1·0 per cent., and a decrease of 17,655 all classes except insane and vagrants.

The number of adult able-bodied persons in receipt of relief (in-door and out-door) in 645 unions and single parishes under Boards of Guardians on 1st July, 1858, and 1st July, 1859, respectively, was as follows:—On the 1st July, 1858, there were 27,874 males; 98,975 females; total, 126,849. On the 1st July, 1859, there were 26,616 males; 95,250 females; total, 121,866; showing a decrease on 1st July, 1859, compared with 1st July, 1858, of 1,258 males; 3,725 females; total, 4,983, or 3·9 per cent. decrease.

The number of persons of all classes in receipt of relief on the 1st January, 1859, and the 1st January, 1860, respectively:—On the 1st January, 1859, there were 835,063 persons of all classes except insane and vagrants; 30,327 insane persons; 2,153 vagrants; total of all classes, 867,543. On

the 1st January, 1860, there were 817,800 persons of all classes except insane and vagrants; 31,554 insane persons; 1,542 vagrants; total of all classes, 850,896; showing an increase on the 1st January, 1859, compared with 1st January, 1859, of 1,227 insane persons; and a decrease of 17,263 persons of all classes except insane and vagrants; 611 vagrants; or a total decrease of 16,647 persons, or 1·9 per cent.

The number of adult able-bodied persons in receipt of relief (in-door and out-door) in 645 unions and single parishes under Boards of Guardians, on the 1st January, 1859, and the 1st January, 1860, respectively, was as follows:—On the 1st January, 1859, there were 33,202 males; 104,229 females; total, 137,431. On the 1st January, 1860, there were 32,857 males; 101,269 females; total, 134,126; showing a decrease on the 1st January, 1860, compared with the 1st January, 1859, of 345 males; 2,960 females; or 3,305 or 2·4 per cent. decrease.

The persons in receipt of relief in certain parishes incorporated under Gilbert's Act, or in single parishes still under 43rd Elizabeth (the population of such parishes being 423,627) are not included in the summaries given, no returns having been received from them.

We have, therefore, made an estimate of the numbers in receipt of relief in the places not included in the above summaries, based on the actual numbers in receipt of relief in the places which are included therein. The population of the unreturned places for which this estimate is made is 423,627; while that of the returned places is 17,503,982. For the purpose, then, of showing the average numbers at one time in receipt of relief during the whole year, both in the unreturned and the returned places, we have taken the mean of the numbers in receipt of relief on the 1st of July and the 1st of January, respectively. The result of this estimate for each year from 1849 (being the first year for which it can be given) to 1859 appears in the following table, which may be taken as exhibiting the pauperism of England and Wales:—

Years ended at Lately Day.	Population of England and Wales.	The Mean Number of Paupers of all Classes (including Children) at one time in receipt of Relief in England and Wales.			Ratio per Cent. of Pau- pers relieved on the Population.	The Mean Number of Adult Able-bodied Paupers (exclusive of Vagrants) at one time in receipt of Relief in England and Wales.			Ratio per Cent. of Adult Able-bodied Paupers on the Total Number of Paupers of all Classes relieved.	Average Price of Wheat per Quarter.
		In-door.	Out-door.	Total.		In-door.	Out-door.	Total.		
1849	17,534,000	133,513	955,146	1,088,659	6·2	26,558	202,265	228,823	21·0	s. d. 49 1
1850	17,765,000	123,004	855,696	1,008,700	5·7	24,095	167,815	191,910	19·0	42 7
1851*	17,927,609	114,367	826,948	941,315	5·3	20,876	142,248	163,124	17·3	39 11
1852	18,205,000	111,323	804,352	915,675	5·0	18,455	130,705	149,160	16·3	39 4
1853	18,402,000	110,148	776,214	886,362	4·8	17,649	121,926	139,575	15·7	42 0
1854	18,617,000	111,635	752,982	864,617	4·6	18,237	116,954	135,191	15·6	61 7
1855	18,840,000	121,400	776,286	897,686	4·8	20,669	125,962	146,631	16·3	70 0
1856	19,043,000	124,879	792,205	917,084	4·8	21,359	132,869	154,228	16·8	75 4
1857	19,207,000	122,845	762,165	885,010	4·6	19,660	120,415	140,075	15·8	65 3
1858	19,444,000	122,613	786,273	908,886	4·7	19,931	133,838	153,769	16·9	53 9½
1859	19,578,000	121,232	744,214	865,446	4·4	18,209	117,575	135,784	15·7	42 9½

\* The Population for 1851 is that given in the Census; that for the other years is estimated.

The decrease in the average number of paupers of all classes in receipt of relief at one time in 1859, as compared with 1849, is 20·5 per cent.; and  
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as regards able-bodied paupers the decrease in 1859, as compared with 1849, is 40·7. There is a great distinction between the condition of the in-door and out-door pauper. The inmate of a workhouse is clothed, fed, and lodged, and has all his wants supplied in the establishment, at the exclusive cost of the rates. The case is different, however, with the out-door pauper. He may occupy a house, and pay a rent for it. The relief, or rather assistance, afforded to him, is generally in money or kind; and is frequently only of a temporary character; the occasion for requiring it being his own sickness, or that of some member of his family. Sometimes the assistance afforded is confined to medical relief alone; or to providing an outfit and premium on the apprenticing of a child, or an outfit upon a child's entering into service.

There is also another point in connection with the returns upon which it is desirable to prevent misapprehension. A large number of able-bodied paupers are relieved out of the workhouse. In 629 unions, returns are made to the Board according to the form prescribed by the general order for keeping accounts, which reckons the children of able-bodied paupers residing with them in the number of the able-bodied. In these unions it appears that there were on the 1st of January, 1860, 314,391 out-door able-bodied paupers, of whom 26,286 only were adult males, 85,151 females, 202,954 children under 16.

The proportionate numbers, therefore, may be taken as one adult man, three adult women, and eight children under 16 years of age. Of the 26,286 adult males, 24,505 were relieved on account of sickness, accident, or infirmity; 1,687 were relieved on account of the want of work and other causes; and 94 only on account of sudden and urgent necessity.

The causes which brought these 314,391 cases upon the rates are specified as follows:—Class 1. Widowhood—widows, 49,076; children dependent on them under 16, 122,342; total, 171,418: Class 2. Families dependent on males in classes 2, 3, and 4—wives, 21,407; children, 58,209; total, 79,616: Class 3. Sickness, accident, or infirmity—adult males, married or single, own sickness, accident, or infirmity, 17,573; ditto, sickness, accident, or infirmity of any of the family, or of a funeral, 6,932; total, 24,505: Class 4. Husbands, non-resident—wives, 4,104; children, 10,653; total, 14,757: Class 5. Husbands in gaol, &c.—wives, 1,586; children, 4,667; total, 6,253: Class 6. Bastardy—mothers, 2,174; children, 3,370; total, 5,544: Class 7. Husbands in the army or navy—wives, 1,631; children, 3,713; total, 5,344: Class 8. Single women without children, 5,173: Class 9. Want of work and other causes—Adult males, married or single, 1,687: Class 10. Sudden and urgent necessity—Adult males, married or single, 94. Total adults, males, 26,286; females, 85,151; children under 16, 202,954; total, 314,391.

The metropolis has fully participated in the improved condition of the labouring classes which has distinguished the past year. The returns of pauperism show that a decrease in the numbers relieved has, with few exceptions, taken place in every week of the last year as compared with the corresponding week of the previous one.

The last year closed with a smaller number of paupers on the relief lists than on the two previous years; for in 1857 the numbers were 101,938; in 1858, 95,892; and in 1859, 91,665; so that there is a decrease of 10·08 per cent. in the last year as compared with 1857.

We have caused the lists of lunatics, idiots, and other persons of unsound

mind chargeable to the poor rates on the 1st January, 1859, to be tabulated. The importance of the information contained in the lists induced us to incorporate the return with the series which we periodically present to Parliament under the title of "Poor Rates and Pauperism." It appears from these that in 645 unions and single parishes under Boards of Guardians, there were 30,318 insane paupers, of whom 21,432 were lunatics, and 8,886 idiots. The whole number of paupers, inclusive of the insane, was on the same day 867,543. In regard to the sexes, it will be seen that 13,389 were males, and 16,929 females, viz., lunatics, 9,280 males, and 12,152 females, and idiots, 4,109 males, and 4,777 females.

These paupers were maintained in the following establishments; or were lodged with strangers; or resided with their relatives, viz:—14,481 in County or Borough Lunatic Asylums; 2,076 in Registered Hospitals, or in Licensed Houses; 7,963 in Union or Parish Workhouses; 906 in lodgings, or boarded out; 4,892 residing with relatives.

The average number of children attending workhouse schools and separate union or parochial schools during the half-year ended at Lady Day, 1859:—

*Boys*, under 10 years of age, 8,121; above 10 years of age, 7,931; total, 16,052. *Girls*, under 10 years of age, 8,699; above 10 years of age, 6,143; total, 14,842.

The average number of children attending district schools during the same period:—

*Boys*, under 10 years of age, 766; above 10 years of age, 687; total, 1,453. *Girls*, under 10 years of age, 713; above 10 years of age, 516; total, 1,229. Total of children attending workhouse, separate, and district schools, 33,576. The amount paid to Boards of Guardians out of the Parliamentary Grant in respect of the salaries of workhouse and district school teachers, for the year ended at Lady Day, 1859, 31,116*l.* 10*s.* 11*d.*

The average number of children in workhouse schools is 26,513; in 19 separate union or parochial schools, 4,381; and in 6 district schools, 2,682; making a total, as shown above, of 33,576 children under instruction. We are sensible, however, of the great advantages of separate and of district schools, as compared with schools forming parts of workhouses; and we avail ourselves of every suitable opportunity for promoting the establishment of the former classes of schools.

The great increase of the population in the Port of Hartlepool and its neighbourhood in the county of Durham during the last few years, rendered the arrangements in force for the relief of the poor therein inconvenient and unsatisfactory. We, therefore, deemed it necessary to divide the Stockton Union, which previously comprised that port, and to form a new Union termed the Hartlepool Union. The order for its formation came into operation on the 25th of March, 1859.

The number of persons who have been assisted to emigrate under the orders of the Board during the last year was only 95; and though we are aware of some other instances where aid was given without our order, and therefore irregularly and illegally, still we must consider that at present emigration cannot be considered as any practical remedial measure for the repression of pauperism.

A summary of the returns received from the several Unions and Parishes in England and Wales, of the number of persons vaccinated by the public vaccinators during the year ended at Michaelmas, 1859, shows the number

to have been 455,349, out of which the vaccination has been successful in 445,020 cases.

We have affixed our seal to the plans of new workhouses for the following Unions: viz., East Grinstead for 260 inmates, Helmsley for 54, Penistone for 120, Rochdale for 130, Swansea for 350, and Bristol\* for 1,163 inmates; and to plans of school-houses for the city of Exeter, and for the Portsea Island Union; and also to plans for the enlargement or improvement of the workhouses of the following Unions and Parishes: viz., Alston with Garrigill, Brentford, Bury St. Edmunds, Cardiff, Colchester, Cosford, East Hampstead, Greenwich, Kingston (Surrey), Keynsham, Lambeth, Manchester, and for its school at Swinton, Rochdale, Romford, Sheffield, Saint Leonard Shoreditch, and for the school of the same parish at Brentwood, Southampton, Ticehurst, Totnes, Torrington, Uckfield, Warwick, Wem, and Windsor. We have also affixed our seal to plans of new Board Room Offices for the Township of Leeds, and for the Hamlet of Mile End Old Town.

We have to observe that on the 23rd of August last, we issued an order upon the subject of the religious instruction of orphan children in workhouses, who have no known or ascertained godfather or godmother.

The order in question was framed simply with a view of extending to such children the same amount of religious freedom as is secured to other children in the workhouse by the express provisions of the Act 4 & 5 Will. 4. c. 76. s. 19.

The establishment of the General Medical Council, and the system of registration for all members of the medical profession, together with the alteration of the law in reference to the qualification of such persons to practise in all parts of Her Majesty's dominions, enabled us to reconsider the general orders of the Board regarding the qualification of medical officers for Unions and parishes. We, therefore, framed another order requiring, in general terms, that all medical officers besides being registered should possess a legal qualification to practise both medicine and surgery in England and Wales, issuing from some competent legal authority in Great Britain or Ireland.

In the circular letter which accompanied the order we pointed out the several public bodies in England, Scotland, and Ireland, who were authorized to confer such qualifications, according to the advice with which the General Medical Council, at their meeting in August last, had favoured us upon our request. Some other bodies have represented to us that they are also empowered to grant similar qualifications; but as we had not been able to obtain further advice from the General Medical Council, whose next sitting will not take place until next autumn, we did not think it correct to insert the names of these bodies in that letter. At the same time, however, we intimated that, though not mentioned therein, their diplomas or licences, if legally sufficient, would be available under the terms of the general order.

In our last report we stated that we had issued orders to four Boards of Guardians in the Metropolis, requiring them to appoint auditors, and that three of them had accordingly made appointments of such officers; but that the Guardians of the poor of the parish of Saint James Westminster had declined to do so. We were, therefore, compelled to take proceedings by

\* The plans approved of in 1856 for enlarging the Bristol workhouse have been abandoned.

an application to the Court of Queen's Bench for a mandamus, requiring them to make the appointment. The writ was granted, and a return having been filed in answer, that Court after argument, gave judgment in favour of the Crown, and the defendants having brought a writ of error, the Court of Exchequer Chamber in the sittings after Trinity Term last, affirmed that judgment. The Guardians have since appointed an auditor.

We have not in our recent reports referred specially to what may be termed the legal branch of Poor Law administration; and we therefore propose briefly to state the nature of the legal and judicial functions exercised by the Poor Law Board. The case in which the Board exercise a judicial function fall chiefly within the following classes:—

1. Questions relating to the settlement, removal, or chargeability of paupers, which may be brought before the Board in two different ways. First, they may be submitted, by the mutual agreement of the parties interested, for the decision of the Board, either under the Act 11 and 12 Vict. c. 110. s. 4, or under the later Act, 14 & 15 Vict. c. 105, s. 12. If this be done, we require the parties to agree upon the facts, and also upon the precise question which they wish the Board to decide, and to set them out in a statement jointly signed.

But, secondly, if the parties cannot agree upon the facts, the question may be raised before the Board by way of appeal against the auditor's decision with respect to the allowance or disallowance of the charge for the pauper's relief in the union accounts. In such a case, the auditor states his reasons in the book of account, and if, for the purpose of determining the appeal, the Board find it necessary to investigate the facts, they do so either by correspondence or (as has occurred in some few instances) by means of an examination on oath, conducted by the inspector. The aid which is rendered to the guardians, overseers, and ratepayers by the Board in the determination of these cases, which are very numerous, and of daily occurrence, is important, both in facilitating the administration of the law, and in saving expense. All the questions thus raised, whether of disputed fact, or of doubtful law, are of a kind which would (or might) have been taken either to the Quarter Sessions, or to the Court of Queen's Bench, if they had not been brought within the jurisdiction of the Board; and, consequently, if they were withdrawn from that jurisdiction, the parties would be again thrown back upon the tedious and costly litigation of the sessions or the Superior Court. The beneficial effect of this exercise of the Board's jurisdiction may be in some degree indicated by the fact of the large diminution which has taken place in the number of cases of this kind brought before those Courts. It is not easy to estimate the cost of the litigation involved in these cases; but we may state that the total expenditure out of the poor-rate for law costs in the last year preceding the Poor Law Amendment Act (*i. e.* the year ended at Lady Day, 1834,) throughout England and Wales, amounted to 258,604*l.*; whilst the expenditure for the same purpose in the year ended at Lady Day, 1857, was only 80,733*l.*; showing a reduction of no less a sum than 178,000*l.* per annum, which is attributable, no doubt, in some degree, both to amendments in the law, and to improvements in its administration, but also (and to a considerable extent) to the direct action of the Board, as well in determining judicially the cases within their jurisdiction as in affording legal advice generally when applied to by the guardians, overseers, and others.

2. Appeals against the decisions of the district auditors, in allowing,

disallowing, or surcharging items in the union and parish accounts. These appeals may be brought under 7 & 8 Vict. c. 101. ss. 35 and 36, and 11 & 12 Vict. c. 91. s. 4.; and they require the Board to consider two questions; first, whether the auditor's decision is lawful; and if it is then, secondly, whether the circumstances are such as to justify the Board in remitting the surcharge or disallowance on equitable grounds.

There is an alternative right of appeal to the Court of Queen's Bench in these cases, as regards the lawfulness of the auditor's decision; but as the appeal to that Court necessarily involves considerable expense, and as the equitable jurisdiction of the Board, enabling them to relieve the appellant from the consequences of a lawful surcharge or disallowance, is not possessed by that Court, the appeals to it are very few, and nearly all the appeals against the auditor's decisions are in fact addressed to the Board.

3. Questions relating to the election of guardians, where the right of any elected guardian to act is disputed under 5 & 6 Vict. c. 57. s. 8. In these cases the Board are called upon to investigate the facts (which they frequently do by means of an inquiry on oath, conducted by an inspector), and to decide the matter in dispute, with due regard both to the facts and to the law. There are generally several of these cases every year, and some of them of a very difficult and intricate character, especially as regards the facts and the evidence, as they usually involve much local excitement and ill-feeling.

Besides the cases thus directly dealt with under that statute, the Board are frequently asked for their advice or opinion on questions connected with the election of guardians, for the information or guidance of the various officers and persons interested; and they are also called upon to issue orders for the supply of vacancies, which often involve preliminary legal questions with regard to the occurrence of the vacancy and the propriety of issuing the order.

Besides those cases in which the Board act as a judicial tribunal, there is a variety of matters or occasions on which their legal advice or assistance is required or sought for by the persons engaged or interested in the practical administration of the law. Among these the following may be mentioned:—

1. Questions of all kinds relating to the interpretation and execution of the law, as well as of the orders of the Poor Law Commissioners, and of the Poor Law Board, which are asked by guardians, overseers, union and parish officers, ratepayers, paupers, and others, where a dispute or a difficulty arises; and they form a large and important branch of the correspondence.

2. Various matters involving a mixture of law and administration, such as the orders which the Board are called upon to issue under the Vestries Act, 13 & 14 Vict. c. 57; the parochialization of extra-parochial places under 19 & 20 Vict. c. 10., the burial of the poor, vaccination, registration, the education of pauper children, the maintenance of pauper lunatics in asylums, and many others, amongst which must be included the cases occurring under the late Act for the payment of debts by Boards of Guardians, 22 & 23 Vict. c. 49; and the cases, which are of continual recurrence, of costs of prosecutions by Boards of Guardians, as to which the 7 & 8 Vict. c. 101. s. 59, requires the Poor Law Board to direct the mode in which they shall be charged in the union accounts.

3. Amendments of the law and of the orders of the Poor Law Commis-



sioners or Poor Law Board, which orders, being acts of subsidiary legislation with the force of statutes, form in fact part and parcel of the law.

4. Instructional circulars, expository of the law or of the course to be taken in carrying it into effect; such, for instance, as the circular of last year on the rating of tithes.

We consider it desirable to refer upon the present occasion somewhat in detail to that branch of our administration which relates more strictly to the audit of the Poor Law expenditure. Previously to the passing of the statute 7 & 8 Vict. c. 101. in August, 1844, each Board of Guardians elected its own auditor; and at that period there were 452 officers of that class. The mode of proceeding, and the practice of so large a number of auditors, although subordinate to statutory authority, and to the general regulations of the Board, exhibited great diversity. But little supervision could, comparatively, be exercised over them, and although they undoubtedly rendered great public service, yet it was evident that the system was susceptible of much improvement. After the passing of that statute, districts were formed, and an auditor was nominated and elected for each district. The favourable anticipations of the results of this change were, we believe, fully realized; many illegal practices were then for the first time checked, the accounts were more strictly investigated, and a system of auditing the expenditure of the rates upon more uniform principles was gradually established. In 1861, the Board deemed it necessary to bring more immediately under their control the manner in which the duties of district auditors were performed, and they then selected one of their inspectors whose attention was directed almost exclusively to the supervision of the proceedings of the auditors. The district auditors are 49 in number. There are also five auditors for certain of the parishes in the metropolis governed under local Acts. These 54 auditors audit the accounts of the collection and disbursement of all monies raised by means of the poor-rate, whether actually expended in the relief of the poor, or for such other purposes as that rate may be lawfully applied to.

The sum thus raised and collected for the year ended at Lady Day, 1859, was 8,434,788*l*.

The officers who are engaged in raising, collecting, or disbursing the poor-rate are:—Clerks of unions (representing Boards of Guardians), 653; treasurers of unions, 653; masters of workhouses, 713; relieving officers, 1,356; collectors of poor-rates (nearly), 5,000; overseers of 14,600 parishes, 14,600; giving a total of 22,975 officers, who personally attend before the auditors each half year, and submit their respective accounts for audit. Each officer keeps a distinct set of accounts, in accordance with the regulations. The total number of sets of accounts is therefore 22,975. The number of books of accounts kept and submitted to the auditors by each class of officers is as follows:—Books kept by union clerks, 3,918; books kept by union treasurers, 653; books kept by masters of workhouses, 9,982; books kept by medical officers of workhouses, 713; books kept by relieving officers, 6,780; books kept by collectors (nearly) 20,000; books kept by overseers, 58,000. It follows that at least 109,546 distinct books of account are submitted to the auditors half yearly, or 219,092 annually.

The number of reports received by the Board from the auditors during the half year ended at Lady Day last was as follows:—Reports on clerks' books, 653; reports on masters' books, 713; reports on relieving officers'

books, 1,356; reports of disallowances, surcharges, balances, &c., 653; reports on books of collectors, 1,051; reports on books of medical officers, 200; reports as to the payment or recovery of money found due, 653; reports on bonds of security, 653.

If allowance be made for reports of a special character, it may be safely said that not less than 6,000 reports are made by the auditors half-yearly, or 12,000 annually.

The reports upon "union officers' books" show the state in which each book is presented to the auditor, and sets forth any defect, either in form or substance, that he may have observed when examining it.

The reports upon the "books of parochial officers" show the imperfections noted by the auditor, as well as any neglect of the regulations on the part of the officers which may have attracted his attention.

The reports upon "disallowances, &c.," show what sums have been illegally expended, and what the auditor has to recover, if his proceedings be not reversed, or if the amount be not remitted by the Board. The reports on "recovery of money" show what illegal expenditure has been repaid to the treasurer. The reports on "bonds" show whether the officers have given security, and whether proof has been produced that their sureties are living and solvent. These reports lead to a very voluminous correspondence with the local boards, and with the union and parish officers. They necessitate special visits of inspection, and occasional formal inquiries into the manner in which the accounts are kept, and into the conduct of accounting officers.

We have, lastly, to refer to the statute 22 Vict. c. 29., which continues the chargeability of irremovable poor upon the common fund of the union until the 30th day of September next, and to the end of the then next session of parliament; and to the 22 & 23 Vict. c. 44, which continued the Act for the exemption of stock-in-trade from rating until 1st of October, 1862, and thence to the end of the next session of parliament.

The statute 22 & 23 Vict. c. 49., has been passed in consequence of the decision of the Court of Exchequer Chamber in the late case of "Waddington v. The City of London Union," reported in 28 L.J.R.M.C. 113. & E.B. & E. 370., by which it was held that Boards of Guardians could not make legal orders of contribution upon the parishes in their unions for the payment of debts previously incurred. This statute contains provisions to define and limit the period during which debts thereafter incurred by Boards of Guardians, or District Boards of Management may be paid; and it also makes special provision in respect of debts incurred before the passing of the Act. Sect. 1. provides that in future every debt, claim, or demand shall be paid within the half year in which it shall have been incurred or become due, or within three months after the expiration of such half year, but not afterwards, power being given to the Poor Law Board to extend the time for a period not exceeding twelve months after the date of such debt, claim, or demand. Sect. 2. provides for the payment of debts incurred before the passing of the Act. Sect. 3. provides for the payment of loans where the poor-rates have been charged by way of security. Sect. 4. refers to cases where actions or other proceedings are brought against Boards of Guardians, or Boards of Management; and sect. 5. enables the payment of attorneys' bills incurred by such guardians or managers in the course of any action, suit, or other proceedings to be postponed until the final determination thereof. Sect. 6. provides that no call or order for con-

tribution, nor any call made to meet such call or order, shall be deemed to be illegal, because it is made to pay any debt the payment whereof is authorized by that Act, or because it includes a balance due from any parish at the time when the half-yearly accounts were made up and balanced; and it provides also that when the fund out of which any such debt should have been discharged shall have been already paid by any parish to the Board of Guardians, and shall not have been applied for that purpose, any funds required to be contributed to discharge such debt shall be levied on each parish in the union in proportion to the rateable value of each such parish.

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#### POOR LAW.

##### *Fifteenth Annual Report of the Board of Supervision for the Relief of the Poor of Scotland for 1859-60.*

IN the 883 parishes and combinations into which Scotland is now divided, the funds for the relief of the poor are raised in the following manner:—1st mode, with classification, 149; second mode, without classification, 545; 2d mode, 9; 3rd mode, 18; according to established usage, 28; assessed parishes, 749; by voluntary contributions, 134; total, 883.

We have increased the number of members to be elected to the parochial board in the parishes of Kilbirnie and Colvend; in the former case from four to six, and in the latter from two to three. The number of parishes that have poorhouses, either singly, or in combination, is 162, having an aggregate population of 1,196,425. In the 35 poorhouses at present in operation, the existing accommodation was reported in July to be sufficient for 10,887 inmates. When the poorhouses which are in progress, or the erection of which has been resolved on, are completed, the number of parishes having poorhouses, singly or in combination, will be 239, with an aggregate population of 1,472,051. We have, during the past year, approved of the rates for boarding paupers belonging to 16 additional parishes, in those poorhouses of other parishes, or combinations to which it appeared to us that they might most advantageously be sent. The number of parishes that have acquired a right, in terms of the 65th section of the statute, to send paupers to the poorhouses belonging to other parishes, is 210, with an aggregate population of 724,674; but some of these parishes are embraced in combinations for proposed poorhouses, or propose to have poorhouses of their own. The population of the parishes to which poorhouse accommodation is available, amounts to 1,921,099. The tables showing the number of poorhouses in operation and in progress, and the parishes forming the various poorhouse combinations in Scotland, show the number of inmates of poorhouses as at 1st January, and 1st July, the number who were receiving indoor relief during the half years, ended 31st December, 1859, and 30th June, 1860; the number of these on the sick list, as well as those who were lunatic, and the number of children who were at school. Also the average weekly cost per head of inmates during the half years, ended 31st December, 1859, and 30th June, 1860, under the four following heads, viz.:—1st, maintenance, including food, fuel, clothing, light, and all other necessities; 2nd, establishment charges, including salaries of officials, feu-duties, insurance, repairs, &c.; 3rd, estimated rent of poorhouse and land, being so much per cent, on the amount expended; 4th, medical relief, including medicine, medical and surgical appliances,

and medical attendance. We have sanctioned the occupation of the Peebles and of the Thurso combination poorhouses, and we have approved of the resolution of the Parochial Board of Forfar to erect a poorhouse for that parish. We have also given our concurrence to the combination of eight parishes for the purpose of building a common poorhouse at Nairn; of four parishes, for the purpose of building a common poorhouse near the Thornton Railway Junction, in the county of Fife (Dysart Combination). We have approved of the parish of Yarrow being joined to the Galashiels combination; of Hopekirk being joined to the Hawick combination, and of the parishes of Blair-Athol, Dowally, Little Dunkeld, Logierait, and Moulin being joined to the Weem combination. The aggregate population of the above-named twenty parishes is 60,977.

We have approved of the sites for the poorhouses of Forfar, Inveresk, Lochgilhead combination, Nairn combination, and Dysart combination, and of a new set of plans for the Barony poorhouse. The plans for the poorhouses of Lochgilhead combination, North Leith parish, Nairn combination, and Dysart combination, have also been submitted to us and approved. We have also sanctioned alterations of the poorhouses of Skye combination and of Aberdeen.

We have completed the arrangements for the distribution of the 12th Parliamentary Grant of 10,000*l.* in aid of medical relief to the poor in Scotland. The number of parishes which have resolved to comply with the conditions annexed to participation in the Grant, is 663; but of these only 649 have established their claims by producing vouchers for the required amount of expenditure from their own funds, and otherwise satisfying us that the conditions of the Grant had been fulfilled. Last year 645 parishes established their claims. The increase in the number actually participating this year is therefore four. Detailed account of the distribution is also given, showing the amount expended on medical relief afforded to the poor, in each parish, for which vouchers have been produced; the sum apportioned to it from the Grant; and the additional sum, proportionate to the excess of its vouched expenditure, beyond the minimum assigned out of the unappropriated shares to each participating parish.

The whole sum expended on medical relief to the poor during the year ended 14th May, 1860, according to the annual returns of the inspectors, was 26,748*l.* 14*s.* 11*d.*, which is equal to 2·30 pence per head of the population of Scotland in 1851. The population of the 663 parishes and combinations that have resolved to comply with the conditions annexed to participation in the Grant is 2,501,687, and of the 220 parishes that have not so resolved, 387,055. The sum expended by the former, according to the returns, was 24,706*l.* 1*s.* 2*d.*, equal to about 2·37 pence per head of the population; and that by the latter was 2,042*l.* 13*s.* 9*d.*, equal to about 1·26 pence per head of the population of those parishes.

The number of applications complaining of inadequate relief that have been before us during the year ended 30th June, 1860, has been 542. In the immediately preceding year the number was 473.

The sum expended for the relief and management of the poor during the year ended 14th May, 1860 (including 5,003*l.* 14*s.* 8*d.* expended on buildings not being authorized poorhouses, and 14,969*l.* 15*s.* 9*d.* expended on authorized poorhouse buildings), has been 663,277*l.* 0*s.* 5½*d.* In the preceding year, the expenditure for the same purposes was 657,365*l.* 17*s.* 9½*d.* There has therefore been an increase in the expenditure of 5,911*l.* 2*s.* 8*d.*

The sum expended for the relief of poor on the roll or registered was 518,546*l.* 18*s.* 8½*d.*; for the relief of casual poor 22,218*l.* 8*s.* 1½*d.*; for medical relief, 26,738*l.* 14*s.* 11*d.*; for management, 67,048*l.* 19*s.* 1*d.*; for law expenses, 8750*l.* 9*s.* 2½*d.*; for buildings, 19,973*l.* 10*s.* 5*d.*; total, 663,277*l.* 0*s.* 5½*d.*, being 4*s.* 7*d.* per head on the population, and 7*l.* 2*s.* 3½*d.* per cent. on real property, according to returns in 1843; the average expenditure for the last 10 years being at the rate of 4*s.* 2*d.* per head of the population, and 6*l.* 9*s.* 5½*d.* per cent. on real property.

The rate per head of the estimated population for 1860 would be only 4*s.* 2*d.* And according to the annual value returned in 1856, the rate per cent. for the last five years would be as follows:—Year ended 14th May, 1856, 5*l.* 7*s.* 6½*d.*; ditto, 1857, 5*l.* 8*s.* 9*d.*; ditto, 1858, 5*l.* 9*s.* 6½*d.*; ditto, 1859, 5*l.* 12*s.* 4½*d.*; ditto, 1860, 5*l.* 13*s.* 4½*d.* The rate per cent. on the annual value of real property, as returned in 1859, would be only 5*l.* 2*s.* 1½*d.*, or 5*s.* 5*d.* per cent. less than in 1856, when similar returns were available.

The total sum expended under the heads of relief to the poor on the roll, or registered, and to the casual poor, for the last ten years, was on an average 4*l.* 12*s.* 5*d.* There is thus an increase in the average allowance to each pauper on the roll, or registered, and relieved in the course of the year, of 5*s.* 4*d.*, as compared with last year. It will be observed, that while the average allowance to each pauper on the roll, or registered, has progressively been augmented from 4*l.* 1*s.* 0½*d.* in 1851, to 5*l.* 8*s.* 3½*d.* in 1860, the charge per cent. on the annual value of real property has diminished.

The number of poor relieved in Scotland, according to the returns received by this Board was as follows:—In the year ended 14th May, 1860, there were of registered poor relieved 95,761; whilst the average for the last 10 years was 99,484. During the year 18,455 registered poor died, or ceased to receive relief. The number of registered poor on the 14th May, 1860, was 77,306; and the number of casual poor relieved during the year was 39,302.

The number of lunatic poor relieved in the course of the year was, as stated above, 6,025. Of these, 997 died, or were cured, or ceased to receive relief; thus the number at the 14th May was 5,028, being an increase as compared with the number at the same date last year (4,970) of 58. Of these, 3,330 were in asylums and poorhouses, and 1,698 were residing with relatives or other parties in private dwellings.

The number of dependents of registered poor in 1860, was 12,886, and of casual poor, 29,166.

Of the casual poor and dependents stated above, 9,336, with 9,628 dependents, are returned as being also enumerated as registered poor. The whole number of unregistered or casual poor at the 14th May, 1860, was 3,611, with 3,086 dependents. The number of adult casual poor relieved on the 1st January, 1860, was 2,896, and their children, together with orphans or deserted children, 2,553. The number of the former relieved on 1st July, 1860, was 2,803, and of their children, and orphans or deserted children, 2,736, or stated thus:—The total number of persons of all classes and ages receiving relief as casual poor on 1st January, 1860, was 5,449; on 14th May, 1860, 6,697; and on 1st July, 1860, 5,539; the average of the three periods being 5,871.

The whole sum derived from church collections in assessed parishes during the year ending May, 1860, was 17,823*l.* 10*s.* 9*d.*, of which 9,745*l.* 12*s.* 5*d.* is stated to have been expended on relief of the poor. From

this sum, however, must be deducted 260*l.* 14*s.* 11*d.*, handed over to the parochial boards. It would appear, therefore, that the sum of 9,484*l.* 17*s.* 6*d.*, derived from church collections, was actually applied by the Kirk Sessions to the relief of persons in their respective parishes who required assistance. But these funds are generally employed to afford aid to persons who have fallen into temporary difficulties, with a view to prevent them from becoming chargeable to the parish as paupers; and it is probable that few of the persons so assisted have also been chargeable to the funds raised by assessment.

The total number of applications to sheriffs, on the ground that relief had been improperly refused as returned by the sheriff-substitute, was, during the past year, 537; while in the returns for the preceding year, the number of such applications was 445. The numbers, however, fall short of the actual number of applications, as in several sheriff courts no complete record is kept of them. These number of such applications in which sheriffs felt called upon to grant *interim* orders of relief during the past year was 344. In the preceding year it was 306. The number of applicants admitted to the roll of paupers by final order of the sheriffs during the past year was 49. In the preceding year it was 66. The average annual number of such *interim* orders during the 10 preceding years was 398; and of such final orders, 93.

The number of such prosecutions under the 79th and 80th sections of the statute during the past year has been 78, and of convictions 46. In previous year the number of such prosecutions was 101, and of convictions 76. The average annual number of such prosecutions during the 10 preceding years was 153, and of convictions 108.

## POOR LAW.

*Annual Report of the Commissioners for administering the Laws for Relief of the Poor in Ireland for 1859-60.*

THE maximum daily number receiving relief in the workhouse during the year ended 10th March, 1860, was 46,545, or 47 less than in 1859. The maximum number in 1859 occurred on 12th February; and in 1860, on the 3rd of March.

The cause of the change of time of the maximum number has been, as we believe, the great severity of the present season; and although a decrease in the numbers occurred on the 10th March, the actual number at that time exceeded the number at the same time last year by 845. The number of persons relieved out of the workhouse during the year ended 29th September, 1859, bear snearly the same proportion to the number relieved in the workhouse as it has borne in recent years, and amounts to less than one-thirtieth part of the whole. In the more recent weeks of the series an increase of the number receiving out-door relief has taken place, and at the present time the number exceeds that of the corresponding period of last year by 739.

Notwithstanding the facts above stated, the comparison between the expenditure of the year ended 29th September, 1859, and that of the preceding year, exhibits a considerable decrease, viz., 43,466*l.*, or nearly 10 per cent., consisting of a reduction of 31,868*l.* in maintenance and clothing; 3,661*l.* in salaries and rations of officers; and 8,041*l.* in other expenses;

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made less by an increase of out-door relief of 104*l*. The decrease in the number of persons relieved during the period is 23,925, or 13 per cent. In the year ended 29th September, 1859, the amount of poor-rate lodged was 523,065*l*., against 525,595*l*. in 1858. The Poor Law expenditure amounted to 413,712*l*., against 457,178*l*. in 1858. The number relieved during the year 1859, was 153,706 in-door, and 5,425 out-door, against 177,205 in-door, and 5,851 out-door in 1858.

Comparisons have lately been instituted between the operation of the existing laws for the relief of the poor in England and Scotland, with that of the Poor Law in Ireland, and the following particulars noticed:—Firstly, whereas in England the daily number of paupers in receipt of relief is about 4½ per cent. of the population, and in Scotland somewhat exceeds 4 percent.; in Ireland the average daily number is less than one per cent. Secondly, although the annual Poor Law expenditure in Ireland has averaged about 1*s*. 6*d*. per head on the population, while that of England exceeds 6*s*. per head, and that of Scotland 4*s*. per head, the annual expenditure per head upon the average daily number relieved amounts to 9*l*. 18*s*. 6*d*. in Ireland, but is less than 7*l*. in England, and little more than 5*l*. in Scotland. Lastly, notwithstanding the larger expenditure per annum in Ireland on each person relieved, the cost of actual relief, which is generally assumed to be identical with the cost of maintenance and clothing in the workhouse, is much less than the same as in England or Scotland.

The last mentioned result is mainly due to the less expensive character of the dietary in Irish workhouses, and to cheapness combined with highly nutritive qualities in the materials of food, all diets being fixed, excepting hospital diet, in conformity with the character of the diet used generally by the peasantry and the working classes in Ireland.

As regards the larger annual expenditure per head on the Irish than the English or the Scotch pauper, it is to be observed, that in Scotland nineteen-twentieths of the cases relieved are relieved out of the workhouse; in England about six-sevenths, and in Ireland only one-thirtieth; and the total cost of relief per head is accordingly least in Scotland, greater in England, and greatest in Ireland,—in-door relief being more expensive in the individual case than out-door relief.

In the Fourteenth Annual Report of the Board of Supervision in Scotland, the out-door relief in England and Scotland is shown to be very nearly the same in cost—that is to say, about 1*s*. 6*d*. per head per week on the average daily number relieved, including dependents. In Ireland the cost of workhouse maintenance and clothing alone amounts to 2*s*. 3*d*. per head per week, consisting of 1*s*. 11½*d*. for food, and 3½*d*. for clothing. It is manifest, then, that the out-door relief both in England and Scotland, taken as a whole, is only partial relief: for the average weekly allowance, 1*s*. 6*d*. per head, is far below what is sufficient, according to the Irish workhouse expenditure for food alone. The remainder of what is necessary to life is, in England and Scotland, supplied from the other resources of the recipients, viz.:—Their earnings, the assistance of their friends, or from private charity. The relief system in Ireland, on the contrary, provides everything requisite for the entire subsistence and relief of the inmate, excluding rigidly all other resources. It provides not only food, clothing, lodging, bedding, fuel, and all other necessities, but medical and surgical aid, medicine, medical comforts, and nursing for the sick; spiritual aid; and finally education for the young. When to these purposes are added the

whole expense of the Poor Law machinery in collecting rates, conducting relief, and accounting for the expenditure, it is not surprising that the total annual cost should be 9*l.* 18*s.* 6*d.* per annum, or 3*s.* 10*d.* per week, for each person relieved.

The cost of pauper relief in Ireland exceeds so much in the individual case the cost of relief in Great Britain, that the comparisons which have been made induce us to refer to some of the most obvious advantages which present themselves in favour of in-door relief. The first of these in importance is the certainty that sufficient relief is afforded in each individual case, and that the whole cost of what may be called personal relief is directly applied to its object. It scarcely needs to be observed that all out-door relief, whether in money, food, or clothing, is liable to much uncertainty in each of the above respects. Secondly, the persons in need of relief can more readily obtain it under a system of in-door than of out-door relief. In practice, applications for in-door relief are seldom rejected, because a well-founded belief exists that they are seldom made except by the really necessitous; and the system of relieving applicants almost indiscriminately, though sometimes injurious to discipline, exists without danger to property or detriment to the industrial habits of the poor. Lastly, the in-door system, although the most expensive in the individual case, is the most economical in the long run, and causes the least disturbance of the rights of property and of the industrial energy of the working classes.

With regard to the small extent of the average daily number relieved, and the suggestion founded on it, that relief from the poor-rate benefits too small a proportion of the indigent population of Ireland, the following observations occur:—In-door relief is attended by a greater degree of fluctuation and change, even in ordinary times and seasons, than out-door relief. No individual receiving out-door relief voluntarily resigns his position as a pauper; and consequently the permanent pension-list, by far the heaviest incumbrance on the English and Scotch poor-rates, undergoes comparatively little change in the course of the year. In Ireland, on the contrary, the changes are continual, through discharges occurring voluntarily on the part of the paupers, and through admissions freely granted to the applicant for relief. Thus the average duration of residence little exceeds three months; and the average daily number, therefore, must be multiplied by nearly four in order to obtain the actual number of cases of relief occurring in the year. For example, the average daily number in receipt of workhouse relief, during the year ended 29th September, 1859, was 40,369; but the total number of cases of relief was 153,706, or nearly four times the average daily number. In Scotland, the number in receipt of relief on one day, including dependents, appears to have been 122,013, and the number of cases relieved in the course of the year 213,479, or less than twice the daily number. In England the means of comparison are not furnished.

Again, we believe that the almost universally-received opinion, that there are more persons in Ireland needing relief, in proportion to the population, than in England or Scotland, is not well founded. We find, on comparing the statistics of the town electoral divisions with those of the rural divisions in Ireland, that the population and the number of persons relieved stand in the following proportions:—twenty town electoral divisions, the largest in Ireland, give as the number relieved in half a year from a population of 785,935 persons, 17,290 paupers, or 2·2 per cent.; the rest of



Ireland only 77,561 paupers, from a population of 5,766,120 persons, or 1·3 per cent. Similar comparisons carried out in England and Scotland would show, we believe, that town populations are generally more liable to pauperism than rural populations. Now, according to the census of 1851, the rural and town populations in Great Britain were in the following proportions:—rural population, 10,403,189; civic population, 10,556,288; total, 20,959,477. In Ireland the proportions were:—rural population, 5,332,709; civic population, 1,218,676; total, 6,551,385.

It appears, therefore, that while in Great Britain the rural population is only one-half the whole population, in Ireland it is four-fifths of the whole; and although the wages of agricultural labour are less in Ireland, the ordinary necessities of life are very differently estimated in the rural districts in the two countries; and the cost of obtaining sufficient food, clothing, and lodging so much less in Ireland as to more than compensate for the difference in the daily wages. The possession or use of a plot of ground, however small, is also a resource possessed by a very much larger proportion of the labouring class in Ireland than in Great Britain; while fuel is obtainable over a large part of the surface of the country by labour alone, and without any other deduction from income. Finally, pauperism in Ireland is of recent growth and not hereditary, except among the mendicants; and thus the class of necessitous persons, which is created by the habit or the expectation of receiving out-door allowance on the contingency of a cessation or diminution of income, exists to a very small extent there. From these considerations we are led to believe that the number of persons needing relief in proportion to the whole population is less in Ireland than it is in Great Britain.

We have for some time past been anxious that the usefulness of the workhouses should be extended, so as to afford a more efficient and comprehensive system of relief in hospital than now exists for a class of persons who, though not destitute, are too poor to obtain such advantages for the restoration of health as are afforded by treatment in hospital, and, at the same time, are too far distant from any county infirmary to receive relief in it. We refer more especially to that constant medical attention, efficient nursing, and proper description of food, which cannot be secured to patients under the Dispensaries Act.

At present the families of persons disabled by sickness and entering the workhouse in the character of destitute poor are liable to be required by the guardians to come into the workhouse as the condition of receiving relief, inasmuch as the guardians can relieve them, under the first section of 10 Vict. cap. 31, either in or out of the workhouse, at their discretion; and the impolicy of relieving the head of the family, or any part of a family, in the workhouse, without admitting the whole, has been, in the earlier years of the Poor Law, inculcated very widely, although there is no provision of the law making such a condition of relief obligatory on the board of guardians.

We do not, however, consider that any restriction of this nature ought to be applied to the cases of heads of families or dependent members of families receiving relief in the workhouse through sickness only. A power already exists of admitting individual poor persons, though not destitute, affected by dangerous contagious disease; and we have recommended that power to be extended to cases of non-contagious disease or accident requiring treatment in hospital.

The same provision, if adopted, will admit into hospital heads of families occupying more than a quarter of an acre of land, without the necessity of their giving up occupation of the land, and so leaving their families without a home, or bringing them with them into the workhouse. There is, as we have reason to believe, a very strong feeling existing in favour of the proposed extension of the powers of relief among the boards of guardians of unions in Ireland.

The number of cases of medical relief under the Medical Charities Act was 776,301 in 1859, against 755,578 in 1858.

Comparing the figures for the two last years, it appears that the number of cases in which medical relief was afforded at the patients' homes, in the province of Ulster, was somewhat smaller in the latter than in the preceding year; whereas, in each of the other three provinces, the number of domiciliary cases has increased for the latter year, especially in Munster, where the increase has exceeded 5,000 cases. In Ulster there has been a diminution in the number of cases attended at the dispensaries also, in the year ended 30th September, 1859, as compared with the preceding year. In each of the other provinces there has been, on the contrary, a considerable increase for the last year in this class of cases, amounting, in Munster, to nearly 10,000 cases. For the whole of Ireland there has been an increase for the last year in the number of both classes of cases; the total number of cases being 776,391, of which upwards of one-fifth were attended at their own homes.

The expenditure incurred under the Medical Charities Act, including the expenses incurred in the performance of vaccination under the Act to make further Provision for the Practice of Vaccination in Ireland of 1858, has been in the year ended September 29, 1859, 99,336*l.*, against 92,725*l.* in 1858. The increase is to be attributed nearly entirely to the following circumstances:—1st, that the salaries of the dispensary medical officers, which, till 1858, had risen by nearly the same amount from year to year, have, during the past year, been increased at about three times the usual rate; and 2ndly, that last year's expenditure includes, for the first time, that incidental to the operation of the Act for the Promotion of Vaccination of 1858.

The total expenditure incurred under the Medical Charities Act and Vaccination Act, 1858, for the year ended September 29, 1859, was distributed as follows:—Medicines and medical appliances, 16,519*l.*; rent of dispensary buildings, 6,699*l.*; books, forms, stationery, printing, and advertising, 1,422*l.*; salaries—medical officers, 64,000*l.*; apothecaries, 1,947*l.*; vaccination fees and expenses, 4,025*l.*; fuel, porters, and other incidental expenses, 4,724*l.*; total, 99,336*l.*

Under the heads of rent of dispensary buildings, books, forms, &c., and salaries of apothecaries, the expenditure for the last differs but little from that of the preceding year. Under the head of medicines and medical appliances the expenditure for the last is less than that of the preceding year by upwards of 600*l.* During the year ended September 29, 1859, the salaries of the dispensary medical officers have been raised so as to make the expenditure under this head 64,000*l.* against 61,266*l.* for the preceding year.

The amount expended under the head of "vaccination fees and expenses" consists of 3,742*l.* in fees, and 283*l.* in other expenses attendant on vaccination; but the amount of the former does not represent the entire annual sum, nearly half the sums payable according to the returns of successful cases not having yet been liquidated.

The average poundage on the valuation of Ireland to provide for the increased gross expenditure is somewhat under twopence in the pound. The average poundage for 1858 was 1·84*d.* in the pound; it is now 1·95*d.* : a poundage not so high as it would otherwise be in consequence of the still progressive increase of the valuation of Ireland. In 1858 the rate was struck on a valuation of 12,091,562*l.*; it is now struck on a valuation of 12,213,620*l.*

Very few changes have been made during the past year in the arrangement of the dispensary districts. In the Boyle Union the electoral divisions constituting the Keadue dispensary district, with two medical officers, and which, on the first formation of dispensary districts under the Medical Charities Act, formed the Riverstown and Keadue districts, very unequal both in population and area, containing respectively two and nine electoral divisions, have again been formed into two districts, but of nearly equal population and area. The two newly-formed districts, the Ballyfarnan and Keadue districts, contain respectively five and six electoral divisions, and differ little in population. Each district has now the benefit of a managing committee of its own. The portion of the Glenties Union that constituted the Glenties and Fintown dispensary districts has been re-arranged. The Fintown district contained three electoral divisions; and the former Glenties district, seven; and the two districts differed still more in population than in area. Under the recent re-arrangement the electoral divisions of the former districts have been formed into the Ardara and Glenties dispensary districts, each containing five electoral divisions, and not differing greatly in population.

During the past year midwives, to take charge of women in natural labour, have been appointed in one or more dispensary districts of six unions. In Omagh Union a midwife has been appointed for the Omagh dispensary district; in Inishowen Union, one for the Moville dispensary district; in Milford Union, one for the Rathmelton dispensary district; in the Clogheen and Roscrea Unions, one for each of the dispensary districts of the same name; and in the Strabane Union, a second midwife for one; and two for each of the other dispensary districts of the union.

In a few districts the numbers of members of dispensary committees have been increased, with the view of affording to the sick poor greater facilities for procuring tickets for medical relief.

The Act to make further Provision for the Practice of Vaccination in Ireland, 21 & 22 Vict. cap. 64, has now been in full operation for nearly a year; and we are now able to speak with some confidence, from experience of its operation, respecting the efficacy of the Act. The difficulties complained of in the last medical charities report as having been experienced in some dispensary districts in prevailing on the committees to divide their districts into vaccination districts, and to procure house accommodation for the performance of vaccination in each, were soon overcome; and in every dispensary district in the country the facilities for vaccination provided by the Act have been offered to the poor. There is now no dispensary district which has not been divided into vaccination districts. Under the provisions of section 13 of the Medical Charities Act, still in force, it is the duty of the dispensary medical officers to vaccinate all persons applying to them for vaccination at any time. In addition, under the Act 21 & 22 Vict. cap. 64, there are now provided (the dispensary stations, 1,011 in number, included) 2,298 stations, pretty uniformly dispersed over the country, where, on two occasions each year, in spring and autumn, the dispensary medical

officers attend, after public notice given of the day, hour, and place, of their attendance, to vaccinate all persons applying for vaccination, being residents of the dispensary district, and fit subjects for the operation.

The numbers of vaccinations annually performed by the dispensary medical officers for the seven years ended September 30, 1859, were as follows:—1853, 43,332; 1854, 52,844; 1855, 46,711; 1856, 84,131; 1857, 47,855; 1858, 54,984; 1859, 140,411.

## GLOUCESTER ELECTION.

*Report of the Commissioners appointed to inquire into the existence of Corrupt Practices at the last Gloucester Election.*

ON the 20th August, 1859, Messrs. James Vaughan, Lucius Fitzgerald, and Richard Griffiths Welford were appointed Commissioners for the purpose of making inquiry into the existence of the corrupt practices at election in the city of Gloucester, and they reported as follows:—

The city of Gloucester is an inland port situated on the river Severn, and possessing an easy communication with the Bristol Channel by means of the Gloucester and Berkeley Canal, which is navigable for vessels of heavy burthen, it had acquired before the commencement of the Russian war a considerable trade in timber and corn; this trade was greatly injured by that war, and although it is now recovering from the depression the war produced, it has not yet regained the prosperity which it had previously enjoyed. The population of Gloucester at the last census amounted to 22,332 persons, but, owing to the fact that 5,026 are resident beyond the parliamentary boundaries of the city, the electoral population does not exceed 17,306 persons. The city contains fourteen parishes and one hamlet, of which five parishes are partly within and partly without the parliamentary boundary. Gloucester at a very early period enjoyed the distinction of sending representatives to parliament. As far back as the twenty-third year of the reign of Edward I. we find it in the possession of that privilege, and from that remote period down to the present time its enjoyment of the privilege has been uninterrupted. Until the Reform Act the elective franchise had been from time immemorial exclusively vested in the freemen, a body of persons whose claims to be admitted to the freedom of the city were derived either from their birth as the sons, or from their servitude as the apprentices, of freemen. At the period of the Reform Act the constituency numbered about 2,000 electors, but of these no less a number than 1,200 were disfranchised by the operation of that act, the thirty-second section of which rendered the continued exercise of their franchise dependent upon residence within a radius of seven miles from the parliamentary boundary. Since that time the number of the freemen has, from various causes, gradually decreased, and accordingly we find that at the last election they did not exceed 534 out of the gross number of 1,721 electors. The greater portion of the freemen reside within the city, but as many as 197 reside beyond the parliamentary boundary. The whole constituency, which appeared by the register of the electors in force at the last election to be composed of 534 freemen and 1,187 householders, when subjected to the necessary deductions

in respect of duplicate qualifications, was stated to amount to about 1,500 electors. The constituency is now divided into two political parties, conservative and liberal, which are also locally distinguished as the blue and yellow parties.

Before we direct our attention to the elections of 1859 and 1857, the corrupt practices at which have formed the principal subjects of our inquiry, it will be necessary to take a cursory retrospective glance at the system which preceded and followed the introduction of the Reform Bill. Immemorial as the origin of electoral corruption appears to be in Gloucester, there are some facts which stand out in bold relief to denote the extent to which it had grown nearly half a century ago. Colonel Webb's own statement was vouched in proof of the assertion that the contest in 1816 had cost him 27,500*l.*, and Admiral Sir Maurice Berkeley testified to the fact that his expenditure at the election of 1818 amounted to upwards of 16,000*l.* The non-resident freemen, who previous to the year 1832 comprised the great bulk of the constituency, were brought, and often with their wives and families, at every contested election, from all parts of the kingdom to Gloucester, and there maintained at the expense of the candidates till the close of the election; the cost of taking up the freedom of those who, though qualified to be, had not yet been admitted to the privileges of freemen, was defrayed by the candidates; treating was universal; largesses, in the shape of payments for nominal services rendered by the voters in the character of special constables, flag-bearers, bandsmen, chairmen, and messengers, were freely distributed; and to crown all, head money, as it is generally believed, was paid to the electors at the Christmas succeeding each election as a reward for past, and a propitiation for future favours. By this system purity of election was wholly destroyed, and money rather than principle determined the voter in the exercise of his franchise. The Reform Act, although it mitigated, failed to destroy the evil thus introduced. It lopped off indeed a large and costly portion of the constituency, but it retained the portion most calculated to infect by its presence the new class of electors whom it had created.

The freemen who by the Reform Act were reduced to 800 in number, and since then have decreased to their present number of 534, would probably have been diminished in a much larger ratio had not their numbers been maintained by the continuance of a practice which has long been in mischievous operation in Gloucester. Before a man entitled to be free can be admitted to the privileges of a freeman, a payment of 13*s.* 6*d.* is required to be made in discharge of the expenses incurred by him in "taking up his freedom." This sum a considerable number of the embryo freemen are either unable or unwilling to pay, and they therefore apply to the agents of the respective political parties to which their fathers belonged to defray the cost. It would be impossible now to ascertain the number of those who have owed their political existence as freemen to these gratuitous payments since the passing of the Reform Act, but we learnt from Mr. Probert, junior, one of the registration agents of the liberal party, that the freedom of as many as 41 freemen had been "taken up" by both parties during the years 1857, 1858, and 1859; and Mr. J. Browne, the registration agent for the conservative party, stated that he had himself "taken up" the freedom of at least 100 freemen since the Reform Act, the greater portion of whom would not have cared to have acquired their freedom at their own expense. Such a system is essentially corrupt, and the evidence which we have

received has left on our minds a strong impression that the perpetuation by such means of a class of electors whose hereditary corruption has greatly deteriorated the character of the constituency, is most calculated to nourish and permanently maintain the demoralization which we have found prevailing at Gloucester. Although the elections immediately subsequent to the Reform Act were comparatively pure, their purity, such as it was, did not spring from the class who had before been familiar with corruption. It was incidentally stated to us by Mr. J. Browne, and we mention the fact as illustrative of this view, that at the first election subsequent to the Reform Act, which was, he said, the only occasion on which he had committed bribery, he had himself bribed six voters, of whom four were freemen, with a sum of 5*l.* each to record their votes for Mr. Hope.

To the demoralization thus produced many of the witnesses pointed as the principal cause of the corruption which has subsequently prevailed. From the passing of the Reform Act down to the present time few elections have been uncontested, and if we may rely upon the general evidence which was presented to us, equally as few have been wholly free from corrupt practices. In the year 1832 Mr. Hope first appeared as the candidate of the conservative party, and for twenty years he maintained a doubtful struggle with Admiral Berkeley for the representation of Gloucester. Though eminently popular with his own party, and much respected even by his opponents, Mr. Hope's varying success was attributed by his opponents not so much to his political strength as to the liberality of his expenditure. Of the extent of that expenditure, the evidence that was presented to us was vague and unsatisfactory; but there is good reason to believe that the election of 1837 was in an especial degree costly and corrupt. It is possible, indeed, that this description might be properly applicable to all the elections preceding the election of 1852, unless we except that of 1847, which, according to Mr. Helps, who was then Mr. Hope's agent, was not corrupt, though Mr. Hope's expenditure at that election exceeded 2,000*l.*

The election of 1852 was stated to be remarkable for the purity with which it had been conducted, and it leads to the inference that if candidates would honestly resolve to be pure, corrupt practices at elections would soon cease to exist. Mr. Hope, Admiral Sir M. F. F. Berkeley, and Mr. Price were the candidates who then sought the suffrages of the electors, and they unanimously adopted an agreement, which Mr. A. G. Phillpotts, in his anxiety to introduce electoral purity among the constituency, had submitted to them; of which it will suffice to say that it provided for the discontinuance of all expenses, either not actually necessary or not consistent with purity of election, and for the appointment of a referee, to whose decision all questions arising out of the election should be submitted for final determination. Although an opinion was somewhat confidently expressed that its provisions had not been strictly observed by the liberal party, we have no reason to think that the objects proposed by that agreement were not fully secured. At that election Mr. Hope was defeated, the numbers polled being respectively, Hope, 766; Berkeley, 786; Price, 851.

Admiral Berkeley stated, that he was informed by Mr. Hope, in the moment of defeat, that he would never return to Gloucester; "that he had been deceived by his party, who had represented to him that he could win the election without resorting to bribery." A vacancy, however, having occurred in 1853, by the appointment of Admiral Berkeley as a Lord of the Admiralty, the opportunity was seized by the conservative party once more

to nominate Mr. Hope, although absent, to contest the representation. The contest resulted, as did that of 1852, in the defeat of Mr. Hope, and the political connection which had existed between that gentleman and the city of Gloucester for upwards of twenty years was then completely severed. The conservative party were not discouraged by the defeat or the secession of their leader. In the hope of repairing their loss, they founded, in 1853, a conservative association, which, enrolled as a friendly society, was in reality a political club, by the rules of which all were excluded from membership who would not pledge their allegiance to the cause of conservatism. They sought to strengthen their cause by acquiring a party ascendancy in the municipal corporation, and rendered, by corrupt expenditure, upon one occasion at least, the election of a town councillor as costly as that of a parliamentary representative. As the time drew near when a general election might be expected, the conservative party were anxious to secure a candidate. Sir R. W. Carden, an alderman of the city of London, was mentioned as a gentleman not unlikely to respond to their wishes. Two deputations waited upon him in London, and invited him to become a candidate, and upon the assurance that the expense would not be considerable, probably not more than 450*l.*, as he stated before the committee of the House of Commons in 1857, or from 500*l.* to 600*l.*, as he stated to us, he consented in March, 1857, to accept their invitation. No inquiries were made, and no information was afforded as to the character of the constituency. The principal fact which was adduced to influence the mind of Sir R. Carden was the ascendancy which the conservatives had lately obtained in the municipal corporation, a powerful argument in itself, as indicative of a change in the politics of many of the constituency, if it had not been rendered worthless by the means which had been adopted to obtain it.

Neither locally nor commercially connected with Gloucester, Sir R. Carden became the competitor at the election which took place in the month of March, 1857, with the two former members, Admiral Berkeley and Mr. Price, for the representation of Gloucester. The "victim of hypocrisy," as he described himself to have been at St. Alban's, he pointed to the disfranchisement of that place as the result of his endeavours, and expressed on the hustings his determination to owe his seat, if elected, "to the basis of his own character, and to the free and unbiassed suffrages of the electors." The liberal party, confident in their strength, and in the promises of support which they had received, regarded the issue as certain. Having defeated in 1852 the most popular candidate the conservatives ever had, they thought it reasonable to conclude that a gentleman holding the same political opinions, but wholly unknown to the constituency, could not be successful in 1857. The conservative party, on the other hand, while they admitted that a candidate locally connected with Gloucester would have a better chance of success than one not so connected, denied that the majority over Mr. Hope in 1852 had been honestly obtained, and further relied for success on the accession of strength which successive registrations had since that period, as they contended, afforded them. As the close of the contest approached, representations were made to Admiral Berkeley and to Mr. Price, as well as to their agents, Mr. Robert Wilton and Mr. Viner Ellis, which left no doubt in their minds that the fidelity of many of their supporters would probably yield to the temptation of their opponents, if their wavering faith were not supported by the same means which had been used to corrupt it. They were informed that one of them must be defeated if money were not

supplied to neutralize the efforts on the conservative side, but they resisted all solicitation, and refused to contribute one shilling for the purposes of bribery. The result was such as might have been expected. Admiral Berkeley, who before the election had informed the government, of which he was then a member, that "no stranger could beat him by fair means," and who had obtained a far larger number of promises than he had received in 1852, was defeated by a majority of 33. The numbers polled being respectively, Carden, 743; Berkeley, 710; Price, 717.

The evidence which we have received places it beyond all doubt that hardly had Sir R. Carden announced himself as a candidate before the agencies of bribery and treating were employed to secure his election. Several of the most active of the subordinate agents of the party informed us, "that they began to treat and to bribe the electors as soon as there was an idea afloat that there would be an election." A fortnight before the election is the shortest period assigned by Mr. John Ward, an active conservative canvasser, for the commencement of treating, and the votes of a considerable number of the outlying freemen were secured at least as early, not by any definite promise, but by a general assurance "that if any money were going they should receive their share of it." The machinery of corruption—both at this election and at that of 1859—was organized and set in motion, on the part of the conservatives, by Mr. Alderman Whithorn, who acted as the paymaster and treasurer of his party, and got together the funds which were required for corrupting the constituency. What Mr. Whithorn did was known to few who claimed to be respectable; his acts were shrouded in darkness, which the more prudent and responsible agents of the party cared not to penetrate. Paid canvassers were associated with himself in working the machinery of corruption, men who understood their business, and required not to be told, when they received the funds intended for bribery, to what purpose they were to be applied. On the morning of the polling day Mr. Whithorn located himself in a room in connection with the committee rooms of his party. Thither flocked the owners and the brokers of votes. Some were brought; others came of themselves, and there bargained with Mr. Whithorn himself for their price. Some were taken to the Upper George, and there received their share of the spoil. Upon that occasion no less than 109 voters received bribes for the votes which they gave to Sir R. Carden—besides many others whom the bribery agents were unable to particularise. That Sir R. Carden was aware by what arts his majority had been obtained, when he boasted at the declaration of the poll, that he had received the unparalleled number of 612 plumpers, we do not believe, but we think that he exposed himself to the suspicion at least of dissimulation, when, being distinctly informed by Mr. Phillpotts, a few days after the election, that that election had been procured by the purchase of votes, he contented himself with forwarding the letter which contained so grave an allegation to his agent, Mr. Lovegrove, without challenging inquiry or instituting any examination into its truth.

The commissioners proceeded with further particulars respecting the mode in which the election of 1857 was conducted, and the means resorted to by both the liberal and conservative parties for securing a majority. Then came the election of 1859.

In the early part of the month of April, Sir R. Carden commenced his canvass, which, with some intermissions, he continued down to the election on the 30th of that month. We had supposed it probable



that, having paid the sum of 4,115*l.* 13*s.* on account of his election and petition in 1857, Sir R. Carden might have considered it necessary at the outset of another contest to draw his agent's attention to the large amount which he had spent only two years before, with the view of imposing some restrictions upon him for the future; but that gentleman thought it unnecessary to impose any restrictions, expressing an opinion that, as there had been two petitions, his expenditure in 1857 had not been considerable. It was true, he said, he had not the slightest idea what the amount was that had really been spent upon his election, but yet having seen the published report of the election auditor, although not knowing what an election auditor meant, he was innocent enough to believe, as he told us, that that report correctly stated the total amount which had been expended on his election. Besides, he reposed, he said, so great a confidence in his agent that he entertained no suspicion that he could do wrong, and therefore abstained from questioning him as to the manner in which the money had been expended. Experience upon a nature so unsuspicious as Sir R. Carden's was wholly thrown away. He had been a candidate for St. Albans, the constituency of which he stigmatized as the most debased and depraved, probably, in the whole of England, and was there made, as he told us, "the victim of the hypocrisy of other people;" but the knowledge which he had acquired at St. Albans, was, in his judgment, applicable only to St. Albans. The knowledge that St. Albans was venal afforded, he said, no reason why he should suppose that Gloucester was venal; nor did his experience of the corruption of St. Albans suggest the necessity, or the propriety of making any inquiries as to the character of the expenditure at his election. Although Sir R. Carden attributed this abstinence from all inquiry to his own innocence and to his confidence in his agent, his agent seems to have conceived a very different impression as to the real motives which governed him. Sir R. Carden had told us that he never knew—and that he had not the means of knowing, as no accounts had been presented to him in 1857—what was the actual expense of his election in that year, as distinguished from the expense of the petitions; and he relied upon this ignorance as sufficient to account for his not having made any inquiry of his agent when he was pressed by us with the fact that the expenditure upon his election had amounted to the sum of 1,708*l.* 9*s.* 9*d.*: although, according to his own evidence, he had seen the election auditor's account, which made his expenditure only 610*l.* 12*s.* 1*d.* Now, Mr. Lovegrove, his agent, when questioned upon this matter, told us that Sir R. Carden did inquire how much had been expended upon the election, and how much upon the petitions, in 1857; that he supplied him with the information; and that Sir R. Carden, of whom Mr. Lovegrove said, "He is a man of business, and, I should say, understood figures as well as any man in England," had the opportunity of seeing the account, which Mr. Lovegrove produced on the occasion of its final settlement in August, 1857.

On both sides treating was generally practised. Every canvasser seemed to look upon treating as a part of his vocation, and the public-houses were frequented with the double object of gratifying the voters who resorted to them, and in some cases of conciliating the publicans who kept them. Thus Mr. Whithorn, who Mr. Lovegrove told us had the entire charge of that branch, when questioned as to whether a sum of 3*l.* paid to a beer-house keeper of the name of Francis Ewers, was not paid for his vote, said, "I suppose you may say the same with regard to all the inn-keepers or

publicans." So great was the demoralization which this practice produced, that Mr. Alexander Halcomb, a merchant of Gloucester, and a member of the liberal party, informed us "that they could not get a public meeting to address the electors politically without treating them. "We intended," he said, "to convene a meeting at the Working Men's Institute, or some such place, but we found that all the houses were opened by the conservatives, and the conservative beer was flowing too freely to allow of our getting a meeting at any such place." In the majority of cases the public-houses were not opened for the gratuitous distribution of refreshments or beer at the expense of the candidate; but the publicans often gave credit for refreshments supplied to the friends of the candidates, relying, as Mr. Frederick Hanman, of "The King William," told us, on past experience for payment of the bills incurred at their houses; and this expectation is shown by the evidence of Mr. Lovegrove to have been well founded; for, speaking of publicans' accounts which had come to his knowledge since the auditor's account was made out, and which he admitted were illegal for treating, amounting to about 269*l.*, he said that he thought that the greater portion of those accounts would be properly payable, and that he should recommend Sir R. Carden to pay them. For the most part, however, credit was not given, the practice generally being for the canvassers to pay at the time for the refreshments which were supplied to the voters by their directions; and thus considerable sums in the aggregate were spent in treating of which only the most general and confused account could be presented to us. The evidence leaves no doubt that treating was thus carried on at nearly every public-house in the city.

Another means of corruption, more pernicious, perhaps, because more insidious in its operation, which was freely adopted by both parties, was the colourable employment of messengers, a remnant of the ancient system of administering bribes to voters as payments for nominal services. The payment to a messenger or door-keeper appears to range from 3*s.* 6*d.* to 5*s.* a day, and the number engaged, and the length of time for which they are paid, greatly depends upon the severity of the contest. In 1857, they were comparatively few upon either side; but at the last election, when both parties struggled to secure the venal electors, no limit was placed upon their employment. The messengers in general affect not to regard their remuneration for those fictitious services as a bribe, and it is probable that some of them would vote in accordance with their political or personal feelings without the inducement thus offered to them; but it is clear that by all the agents on both sides the payments to the messengers are regarded as bribes. Comparatively few of the messengers are non-voters; and of the non-voters it appears that a large number are usually the relatives of voters who are placed on the list of messengers upon the application of the voters themselves. Thus Mr. Whithorn said, "Where they do not get put on themselves, they recommend their sons, or some one connected with them; and if you do not put them on you will lose their votes." Mr. Lovegrove, also accounting for the number employed by the conservative party, said, "on the other side there were a great many voters employed, and when application was made to us to take on either a voter, or the relative of a voter, and we refused them, those men would immediately go over to the other side, and get instant employment, and that gave rise to so many being employed." And Mr. J. B. Monk, having stated that he regarded the employment of messengers as a means of bribery, said, "The fact is, if they

had not been employed by me, they would have been tempted by the other party, and I should have lost them. I knew the men were liberals in principle, but in the midst of temptations which were then afloat, I think I should not have seen them again if I had let them go." Such was the result of this competitive system that, although we were told that for the work to be done 20 or 30 would have been quite sufficient, and with reason, too, since we find that the messengers who were voters did hardly any work at all, yet no less than 112 messengers were employed by the liberal party, and 151 messengers and doorkeepers by the conservative party.

The expenditure, as it may have been conceived, was very considerable on both sides, but neither party thought it prudent that the amount of that expenditure should be made public. Statements of accounts, instead of the accounts themselves, were delivered to the election auditor by the agents of Mr. Price and Mr. Monk, which were so contrived as to bring the pretended expenditure within prudent limits, by excluding every payment which either was tainted by corruption, or was calculated to endanger the seats of the members by the suggestion of agency. A similar course was adopted by the agent of Sir R. Carden, who returned as true a statement of the expenditure, which, he knew, omitted to account for a very considerable portion of the money expended. Not only did he omit all mention of the £1,000, which he had himself delivered to Mr. Whithorn, but he abstained from making any inquiry of Mr. Whithorn as to the amount which he had expended, or the accounts which he had received for expenses incurred within his own department; that department being, it will be recollected, the arrangement with the publicans, "a branch," of which Mr. Lovegrove told us "that Mr. Whithorn took charge."

It is impossible to look upon the system of falsification which we found practised in Gloucester without feeling that the "election agent," and the "election auditor," exist only to deceive and to delude the legislature and the public. Instead of "the election auditor" being the detective of electoral abuses, he acts as a screen to prevent their exposure, and becomes a stumbling-block to further inquiry. The returns certifying the total expenditure at the two elections of 1857 and 1859, which, in obedience to an order of the House of Commons, were made to the House by the election auditor for Gloucester, were grossly false; and that falsehood has arisen, in part, from the facilities afforded by Mr. Hodges Carter, the election auditor; but still more from the suppression of facts by the "election agents," the knowledge of which the election auditor had no means of acquiring. Not only did the election auditor abstain from requiring the delivery of the accounts themselves after the election, but he was content that their payment should be made by the agents of the respective candidates; and he excused his violation of the provisions of the "Corrupt Practices Prevention Act, 1854," which provides that all payments shall be made by the election auditor, except those which have been incurred prior to the employment of voters as messengers, either for the purpose of influencing their votes, or as a reward for their known and steady adherence to their party, has always been a potent means of corruption. It has accustomed the voters to connect the idea of pecuniary advantage with the exercise of their parliamentary franchise, and has led, by an almost insensible transition, from remuneration for services, more or less real, to the direct sale and purchase of votes. Although the messengers employed "on the committee," as it is usually called, scarcely consider such employment as bribery, it is confessedly with

most of them a merely colourable employment. A few of the nominal messengers appear to make some pretence of attending the committee-room of their party, and of being ready to perform messengers' duty if required ; but the majority of them do not make the slightest pretence of working. The voter-messengers, indeed, consider that the work of the committee-rooms ought to be performed by the messengers who are not voters. Much of the evidence given before us proved that the employment of voters to perform services, even such as are commonly considered essential in the management of an election, has a tendency, especially in the opinion of the lower classes of voters, to confuse their notions of public morality.

In places where electoral corruption has so long prevailed, as at Gloucester, there are many persons anxious to turn the occasion of an election to their own pecuniary advantage, and their ingenuity in multiplying outlays at the expense of the candidates is considerable. And we found that every head of expense, though apparently innocent—or commonly deemed so—affords more or less of opportunity for corrupt expenditure. Canvassing, as it is pursued in Gloucester, also leads to much corruption. The personal canvass of the candidates, accompanied as they generally are by some of the most influential or active of their respective friends, is attended with little or no expense, and is never the occasion on which corrupt inducements are held out to voters. The friends who accompany the candidates on their canvass, which, so far as regards the venal class of voters, is merely formal, usually know nothing, directly, at all events, of any corrupt practices.

But there is another and far more expensive kind of canvass, which is simultaneously conducted by partizans of a lower station in society, with the details or progress of which the candidates are not made acquainted. These canvassers are intimately acquainted with the humbler and venal classes of voters, the frequent communication with whom during the progress of the canvass involves the necessity of making provision some time prior to the election for the "preliminary expenses," about which so much will be found in the evidence. The out-voters who must be seen and treated, probably several times before their promises can be obtained, commonly abstain from promising until they can ascertain whether "there is to be any money going this time" on the side for which they are canvassed. The canvasser is not always able to say positively until just before the election whether there will or will not be "any money going." He can only assure the uncertain voter that if there is any money he shall receive "the same as the rest." In this way many conditional promises are obtained on both sides. But these voters require to be followed up. They have their predilections for the one party or the other, but no reliance can be placed on them without constant watchfulness. For this purpose many canvassers and sub-canvassers are required to be employed, while numerous voters, whose fidelity to their party is deemed sufficiently strong, are paid to watch other voters on whose steadiness less reliance is placed. In several instances voters, who could not be relied on by the party they had promised, or had been expected to vote for, were removed some days before the election to remote public-houses, and there entertained and guarded until the polling day. This was proved to have been done to some extent on both sides. Such a course of proceeding necessarily involved considerable expenditure, all of which is designated the cost of the canvass. The canvassers themselves expend a good deal of money in travelling, and for refreshments, in

addition to contracting debts for the hire of carriages. Besides which most of the canvassers indulge in an open-handed liberality at the candidate's expense, and treat all the persons, non-voters, as well as voters, whom they meet with at the public house to which they resort. It is hardly necessary to say that these expenses, continued as they sometimes are over several weeks, amount to large sums. We found that in every case in which the bribery agents and sub-agents had received money to be expended in the purchase of votes, a large per-centage was stated to have been employed in treating, of which we could obtain no more precise account than that it had been spent on the canvass in treating voters and other persons.

It is this second kind of canvass which so corrupts the humble voters. They are eagerly pressed for their votes, while drink is supplied to them gratuitously, and in abundance. They are led to believe that they are conferring great favours on the candidates for whom they vote, and they easily arrive at the conclusion that for such favours the candidates ought to pay. As an example of the feeling of the corrupt class of voters on this point, the answer of Elizabeth Dowers, the wife of Robert Dowers, a voter, who at the election of 1857, received a bribe of 2*l*. for his vote, and gave his wife 30*s*. of that money, may be mentioned; being asked, "Were you angry with him for receiving the money?" answered, "No; I consider that a man who goes to serve a gentleman ought to be satisfied for his trouble."

It was with a view to prevent irregular payments at elections, that certain provisions of "The Corrupt Practices Prevention Act, 1855," were enacted. The sections which relate to this subject are from 15 to 31, both inclusive. Under these enactments, the returning officer of every place returning members to Parliament is required to appoint an "election auditor," and to give public notice of such appointment; and every candidate is required to declare to the election auditor the name of his agent for election expenses. All persons having claims on any candidate are to send in the same to the candidate or his authorized agent, within one month from the day of the declaration of the election, and every candidate or his agent must, within three months of the day of declaration, send in to the election auditor for payment all the claims so sent in to the candidate, and he must state whether he admits such claims to be correct. A candidate or his agent wilfully omitting to send in such claims is made liable to a penalty of 20*l*., and a farther penalty of 10*l*. for every subsequent week of wilful neglect; such penalties to be recovered by any person who will sue for them.

No payments whatever, in respect of any election (except such as are incurred before the nomination day, the payment of which cannot be conveniently postponed) are to be made, except through the election auditor, and any payment otherwise made is to be deemed an illegal payment, rendering the candidate on whose behalf it is made liable to forfeit 10*l*., with double the amount of such illegal payment and costs, to any person who will sue for the same. The candidate may name a banker through whom alone money shall be paid by the election auditor. Where a banker is appointed payments are to be made by cheques of the election auditor, countersigned by the candidate or some person on his behalf specially appointed for the purpose. The personal expenses of candidates, and of advertising are to be defrayed by themselves; but an account must be rendered to the election auditor, and included in his general account. No person shall pay, or agree to pay, any expenses of an election, or any sum of money whatever, with a view to promote the election of a candidate, save

to or under the authority of the election auditor, with some exceptions specially mentioned; and any person so doing becomes liable to a penalty of 50*l.*, and double the money paid. The election auditor is required to make out and sign an account of the expenses incurred at the election, specifying the money paid by him, or by his authority, on behalf of each candidate, including the amounts paid by the candidates for advertisements; and he is also required to insert an abstract of such accounts, signed by himself, in a local newspaper, such abstract to contain the particulars mentioned in the Act.

Such are in substance the provisions of the "Corrupt Practices Prevention Act, 1854," in reference to the election auditor and election agent. Yet all these elaborate enactments are, as has been repeatedly stated by witnesses examined before us, practically nugatory.

The evidence before us suggests several causes for the failure of the "Corrupt Practices Prevention Act." The obligations imposed by the Act are insufficient. They consist of money penalties, only to be enforced by expensive proceedings at law, the evidence to sustain which must always be very difficult to obtain; while, except under the excitement of an election contest, few persons are found willing to undertake the invidious position of plaintiff in a penal action. The principle of the Act seems to be that election expenses shall be paid upon the responsibility of an appointed election agent, through the agency of a public officer, the election auditor, whose accounts shall be advertised, and remain open to general inspection. The exceptions and reservations in the Act, and the probabilities of failure attendant upon proceedings under it, prevent the strict application of its principle, and afford the opportunity of evading or disregarding its provisions. The evidence afforded by the elections at Gloucester shows that all the intentions and professions of purity on the part of candidates have failed to prevent corrupt expenditure, or to insure the observance of the law. And we believe that unless the expenses of elections shall be strictly defined by Act of Parliament and made payable exclusively by a public officer, and the prosecution of offenders for penalties imposed by the Act be made obligatory upon such officer, no law formed on the principle of the Corrupt Practices Prevention Act will afford any effectual check to illegal expenditure at elections. If the expenses to be incurred in an election were defined by Act of Parliament, and all other expenditure expressly forbidden, the election officer would be able, and might be authorized, to require each candidate to pay, before nomination, his estimated share of the election expenses. And if the election officer's authority extended to the expenses incurred prior to as well as at the election, that undefinable and most expensive head of outlay "preliminary expenses" would then be brought under effective control.

It appeared to us, during the progress of our inquiry, that the condition in life and the ostensible circumstances of many of the voters proved to have been bribed, were not such as to afford any palliation of their conduct upon the plea of poverty; but, that on the contrary, men apparently possessed of property, and occupying tenements of value much beyond the minimum qualification for a household suffrage, received money for their votes. With a view, therefore, of affording as complete a disclosure as possible of all the circumstances attending the widespread corruption of the constituency at Gloucester, we thought it desirable to obtain from competent witnesses a statement of the rentals of all the voters proved to have been bribed at the

election in 1859. Such a statement was accordingly prepared at our request by Mr. John Pleydell Wilton, with the concurrence and the assistance of Mr. Joseph Lovegrove and Mr. John Ward. Mr. Wilton, in order to frame his statement, obtained the estimated rentals from the returns made to the Board of Health, and he also made personal inquiries of the landlords, or their agents, or rent collectors, and, where such means of ascertaining the accuracy of his statement were not available, he took the valuations of persons familiar with the property as to its rental value. Mr. Ward, who had been engaged as a builder in Gloucester, was enabled to confirm, from his own knowledge, the accuracy of the rentals as stated by Mr. Wilton. We have, in the schedule marked (E.) of voters bribed at the election of 1859, added to the name of each person the estimated or actual rental of his occupation, which ranges in many cases from 12*l*. to 40*l*. In several cases such voters occupied their own property.

It now only remains for us to report to your Majesty, what we have found in reference to the matters into which we were directed to inquire:—We find that corrupt practices extensively prevailed at the election in 1857. We find that Sir Robert Walter Carden, William Philip Price, and Admiral Sir Maurice F. F. Berkeley were not privy to or cognizant of the corrupt practices which prevailed at that election. We find that the persons named in schedule A., to this our report annexed, were guilty of bribery at the election in 1857, by corruptly giving or promising money or other valuable consideration to voters, for the purchase of their votes, or on account of their having voted, or by corruptly advancing money for the purpose of bribery. We find that the persons named in schedule B., to this our report annexed, were guilty of bribery at the election in 1857, by receiving money or other valuable consideration for having given, or to induce them to give, or to refrain from giving, their votes. We find that the persons named in schedule C., to this report annexed, were guilty of treating at the election in 1857. We find that corrupt practices extensively prevailed at the election in 1859. We find that William Philip Price and Charles James Monk were not privy to or cognizant of the corrupt practices which prevailed at that election. We find that the several persons named in schedule D., to this report annexed, were guilty of bribery at the election in 1859, by corruptly giving or promising money or other valuable consideration to voters, for the purchase of their votes, or on account of their having voted, or by corruptly advancing money for the purpose of bribery. We find that the persons named in schedule E., to this report annexed, were guilty of bribery at the election in 1859, by receiving money or other valuable consideration for having given, or to induce them to give, or to refrain from giving, their votes. We find that the persons named in schedule F., to this report annexed, were guilty of treating at the election in 1859. We find that one hundred and fifty-one persons named in schedule G., to this report annexed, were employed as messengers or doorkeepers on the behalf of Sir Robert Carden at the election in 1859, and that those who are therein described as voters were colourably employed, and were paid the sums set opposite to their names, for the purpose of inducing them to give their votes for Sir Robert Carden. We find that one hundred and twelve persons were employed as messengers at the election in 1859, on behalf of Messrs. Price and Monk, and that the persons named in the schedule H., to this report annexed, were voters, or relatives of voters, and that the voters were colourably employed, and were paid the sums set opposite their respective

names, for the purpose of inducing them to give their votes for Messrs. Price and Monk. Finally, we report to your Majesty that, with rare exceptions, corrupt practices have for a long period prevailed at contested elections for members to serve in parliament for the city of Gloucester.

#### BOROUGH OF WAKEFIELD.

*Report of the Commissioners appointed to Inquire into the Existence of  
Corrupt Practices at Elections for the Borough of Wakefield.*

THE commission was issued on the 20th August, 1859, to Gillery Pigott, serjeant-at-law, and Messrs. William Henry Willes and Wyndham Slade, for the purpose of making inquiry into the existence of corrupt practices in the last election (1859) for the borough of Wakefield, and on the 28th January, 1860, they reported as follows:—

The borough of Wakefield is one of those upon which the privilege of returning a member to parliament was first conferred by the Act 2 William 4. c. 45, and the only voters for the borough are 10*l*. householders. The last election for the said borough took place on the 29th day of April, 1859: and although the number of names of voters on the register at that time was 952, yet, as of these voters 16 were then dead, and 70 were twice entered on the register, the total number of electors was, in fact, only 866. The candidates at the said election were Mr. William Henry Leatham (Liberal), and Mr. John Charlesworth Dodgson Charlesworth (Conservative). Mr. W. H. Leatham was returned by a majority of three; the votes being, for Mr. W. H. Leatham, 406, and for Mr. J. C. D. Charlesworth, 403. We find that the election was conducted by, and on the part of each of the candidates in a corrupt and illegal manner, and that corrupt and illegal practices extensively prevailed at the said election.

We find that there was expended upon the said election by Mr. William Henry Leatham, through his agents, a sum of money amounting at least to 3,900*l*. Of this sum of 3,900*l*. only 478*l*. 7*s*. 5*d*. passed through the hands of the election auditor, and the residue was disbursed in illegal payments. Of the residue so disbursed, we find that a sum of money, between 1,800*l*. and 1,900*l*. at the least, was expended in bribery, and the rest was expended partly in the hire of non-electors for the purposes herein-after described by us, and partly in payments to publicans for the hire of rooms and for refreshments supplied in their houses chiefly to non-electors, in order to create interest in the candidates' favour amongst the non-electors and the publicans.

We find that there was expended upon the said election by Mr. John Charlesworth Dodgson Charlesworth, through his agents, a sum of money amounting at least to 4,150*l*. Of this sum of 4,150*l*. only 652*l*. 10*s*. passed through the hands of the election auditor, and the residue was disbursed in illegal payments. Of the residue so disbursed, we find that a sum of money amounting to 1,600*l*. at least was expended in bribery, and the rest was expended as follows: namely, about 1,100*l*. in the hire of bodies of non-electors for the purposes herein-after described by us; the sum of 200*l*. or thereabouts in payment of 3*s*. 6*d*. per head to pitmen, non-voters, who to the number of about 1,000 were brought into the town on the nomination day to support the candidate, and the sum of 600*l*. or thereabouts in pay-



ment of public-house bills, for expenses of the like kind with those already mentioned in the case of the other candidate. It was stated to us by the witness George Moore, that between 300*l.* and 400*l.* of the last-mentioned sum was paid for refreshments supplied on the day of the nomination to the pitmen before mentioned, but we think that the witness was mistaken as to the proportion of the public-house bills attributed by him to this head, and that the real proportion was considerably less. We find that it was generally anticipated by the partizans on both sides for some time before the said election, that recourse would be had to bribery by their respective opponents, and we find that the fact that bribery was being carried on on both sides was before the election a matter of common notoriety throughout the borough, and excited but a scanty measure of disapprobation even on the part of those who did not actually join in the work of corruption. Lastly, we find, having regard to the length of time before the election at which the preparations for the work of corruption were commenced,—to the large proportion (142 out of 866) of the whole constituency engaged in corrupt practices and guilty of bribery,—to the number of persons (including 56, themselves electors) who voluntarily joined in the work of offering and giving bribes,—to the zeal and skill they exhibited,—to the readiness with which their services were received and their acts adopted,—to the open way in which bribery was carried on by the canvassers and discussed amongst all classes,—and to the manner in which the voters received and bargained with the canvassers on both sides, that large numbers of the electors were then not for the first time engaged in the like operations of gross corruption.

#### MARRIAGES.

##### *Tenth Report of the Registrar-General of Marriages in Ireland.*

THE entire number of marriages returned to the General Register Office in 1859 was 9,261. This amount exceeds the total of 1858 by 301; but is less by 679 than the marriages registered in 1857. The districts of the registrars are 130 in number, and are co-extensive with the Poor Law Unions of 1845, as the Act does not contain any provision authorizing their alteration.

In 1859 there were registered 4,979 marriages by the clergy of the Established Church, 2,686 by Presbyterian ministers, 90 in registered buildings (which comprise the meeting-houses of Methodists, Moravians, Independents, and other denominations), 1,498 in the registrars' offices, 7 between members of the Society of Friends, and 1 between Jews.

From the 1st of April, 1845, to the 31st of December, 1859, 135,645 marriages have been registered,—certified copies of any of which can now be procured at the General Register Office, on payment of a fee of one shilling for a search in the indexes, and two shillings and sixpence for a certified copy of the entry in the records. Satisfactory proof of a marriage may thus be obtained, as the Act referred to, sec. 71, enacts that, "all certified copies of entries purporting to be sealed or stamped with the seal of the said register office, and which seal it shall not be necessary to prove, shall be received as evidence of the marriage to which the same relates, without any further or other proof of such entry: and no certified copy purporting to be given in the said office shall be of any force or effect which is not sealed or stamped as aforesaid."

Of the marriages which were not solemnized according to the rites of the Established Church; 63 in every 100 were in Presbyterian places of worship, 35 in the registrars' offices, and 2 in registered buildings belonging to Methodists, Baptists, Independents, and other religious denominations.

In the year 1859 the per-centage of marriages according to the rites of the Established Church was 0·1 by special license, 79·8 by license, 19·5 by banns, 0·3 by registrars' certificate, 0·3 not stated by which of the foregoing forms; and of marriages not according to the rites of the Established Church there were 62·8 in registered Presbyterian meeting-houses, 2·0 in registered buildings, 35·0 in registrars' offices, 0·2 Society of Friends, and 0·0 Jews.

*Marriages of Minors.*—The marriages of males under 21 years of age in 1859, are less than those in the preceding year, while those of females under age are above the number in 1858. The relative proportions are—males, in 1859 394, or 4·25 per cent.; in 1858, 408, or 4·55:—females, in 1859, 1,619, or 17·48 per cent.; in 1858, 1,507, or 16·81 per cent. In England the proportion of minors married in 1856 was 5·72 per cent. of males, and 18·34 per cent. of females. Owing, however, to the defective system of registration in this country, no satisfactory comparison can be made between the statistics of marriage in Ireland and England. Were the marriages of the entire population registered, most probably the result would be in accordance with the prevailing impression that a greater proportion of marriages at early ages annually takes place in Ireland than in Great Britain.

*Re-Marriages.*—The proportion of widowers and widows whose marriages were registered in 1859 was less than in the previous year: the numbers were 1,064 men and 527 women, which was at the rate of 11·48 widowers and 5·69 widows to every 100 marriages.

*Signatures of Persons Married.*—All persons whose marriages are registered under this Act are required to sign their names in the duplicate registers; those who are unable to write make a mark in the usual way. Some test may, by this means, be afforded as regards progress in education. The copies of the registers of marriages received for the year 1859 show a slight improvement in the education of the males in this respect, but not in that of the females. The numbers who made their marks being, in 9,261 marriages, 2,479 men, or 26·76 per cent., and 3,955 women, or 42·70 per cent.

From a table showing the number of marriages registered in each quarter of the several years from 1849 to 1859, it appears that the marriages registered within the quarter ended the 31st December continue to be the most numerous. The proportions for each quarter in 1859 were: during the three months ended 31st March, 25 per cent.; 30th June, 23; 30th September, 24; and 31st December, 28 per cent. The increase in the number of registered marriages in 1859 over 1858 will be found to have taken place in the quarters ended 31st March and 30th September.

The benefits of the present Act are almost entirely confined to the provinces of Ulster and Leinster. This will be apparent when it is stated that in 1859, out of 9,261 marriages which were registered, only 1,075 were solemnized in the provinces of Munster and Connaught; and of the 32 counties, including the cities and large towns, Antrim, Down, Armagh, Tyrone, Londonderry, Dublin, and Cork, afforded 7,026 of the entire number of registered marriages. In like manner, in 15 districts out of 130, 5,258 of the marriages returned in 1859 were recorded. It may also

be observed, that the number of marriages registered in Ulster in 1859 exceeds those registered in the same province in 1858 by 312, being more than the total increase of marriages registered in all Ireland in 1859 compared with the previous year. It is to be hoped that the benefits of a registration of marriages may shortly be extended to the Roman Catholic population.

During 1859, there was an addition of 16 to the number of places of worship in which marriages may be solemnized, viz., 10 churches, 2 registered Presbyterian meeting-houses, and 4 registered buildings.

The registered buildings belong to the following denominations:—Wesleyan Methodists, 79; Reformed Presbyterians, 24; Baptists, 10; Independents, 14; Moravians or United Brethren, 5; not expressly stated, 16; total, 148.

The number of licenses for marriage issued by the licensing ministers of the several presbyteries during the year 1859, was as follows:—On the 31st December, 1859, the general assembly of the Presbyterian Church in Ireland had 101 licensing ministers, 503 registered houses, and issued 2,605 licenses. The Remonstrant Synod of Ulster had 9 licensing ministers, 26 registered houses, and issued 66 licenses. The Presbytery of Antrim had 3 licensing ministers, 10 registered houses, and issued 39 licenses. The United Presbytery or Synod of Munster had 4 licensing ministers, 4 registered houses, and issued 2 licenses. Totals, 117 licensing ministers, 543 registered meeting-houses, and 2,712 licenses issued. 839 licenses for marriage were granted by district registrars in 1859.

The registrar repeated the observations made in his last report, as to the great want of a general measure for the registration of births and deaths in Ireland: and of the marriages solemnized by Roman Catholic priests, which are now excluded from registration, by the Act 7 & 8 Vict. c. 81, sec. 3. This is much to be regretted, as the advantages to be derived from a knowledge of the vital statistics of the people of this country cannot be too highly estimated. The English Act has now been in operation for upwards of twenty years, and has been productive of the most beneficial results. By the information which it has afforded, many diseases have been traced to their causes; sanitary measures have been introduced for the improvement of the public health; it has assisted in making effective the Vaccination Act, by which the lives of so many infants have been saved; it gives to Insurance Companies data for calculating equitable rates for live insurance; and to persons requiring proof of birth, whether to be employed in the public service or in the factory, it supplies cheap and conclusive evidence. Even before the many uses were known to which the information derivable from a general registry of births, deaths, and marriages could be applied, the committee of the House of Commons appointed in 1833 to inquire into this important subject, and which consisted of thirty members, including some of the most distinguished statesmen of the day, reported that a new national system of registration should be attempted, and that great trouble, vast expense, utter uncertainty, capricious changes, and local and general evils exist, while no means are supplied to obtain information as to the state of disease, the operation of moral and physical causes on the health of the people.

As so many and great advantages have arisen from the operation of the Registration Act in England, it is to be hoped that this country will not longer be permitted to remain without the benefits of a like measure.

## BILLS.

*Medical Acts Amendment.*—To amend the Medical Acts. (Mr. Whiteside, Lord Naas, and Mr. Lefroy.) 20th February, 1860. (45.) Licentiates in surgery of any university in Ireland entitled to be registered under the Medical Act in like manner as masters in surgery. The powers given to the Medical Council as respects the studies and examination required for obtaining a qualification under the said Act, to be extended to the studies and examinations required for a qualification under this Act.

*Nuisances Removal and Diseases Prevention.*—To amend the Acts for the removal of nuisances and the prevention of diseases. (Mr. Lowe and Sir George Lewis.) 3rd May, 1860. (125.) Sections 3, 6, and 7 of 18 and 19 Vict. c. 121 to be repealed. Local authorities to execute the Nuisances Removal Act. Nuisances removal committees now subsisting may be continued so long as they employ sanitary inspectors. The expenses to be defrayed out of the general district rates when the local authority is a local board of health; out of the borough rate when the local authority is the municipal council. Boards of guardians may appoint committees for particular parishes. All wells, fountains, and pumps, not the property of any person or corporation, to be vested in local authority.

*Medical Act (1858) Amendment.*—To amend the Medical Act, 1858. New charters may be granted to the College of Physicians. The colleges to retain all existing rights, notwithstanding the change of name. The colleges to hold property notwithstanding the change of name. The election of the president to be annual.

*Burial Grounds (Ireland) Act (1856) Amendment.*—To amend the Burial Grounds (Ireland) Act (1856). The provisions of 19 and 20 Vict., c. 98, to be extended to additions to existing burial grounds. Where the burial ground is not fenced or kept in decent order by the owner, the burial board may serve notice on the owner, requiring the same to be fenced or kept in decent order. After six months from the service of the notice, the burial board employed to fence the burial ground and keep the same in order. The burial boards may accept the management of burial grounds in private demesne or elsewhere.

*Turnpike Trusts Arrangements.*—To confirm certain provisional orders, made under an Act of the fifteenth year of her present Majesty, to facilitate arrangements for the relief of turnpike trusts.

*Inclosure.*—To authorize the inclosure of certain lands in pursuance of a report of the Inclosure Commissioners for England and Wales. (Mr. Clive and Sir George Lewis.) 13th March, 1860. (72.)

*Inclosure, No. 2.*—To authorize the inclosure of certain lands in pursuance of a special report of the Inclosure Commissioners.

*Copyhold and Inclosure Commission.*—To continue appointments under the Act for Consolidating the Copyhold and Inclosure Commissions, and for completing proceedings under the Tithe Commutation Acts.

## LUNACY (SCOTLAND.)

*Second Report of the General Board of Commissioners in Lunacy for Scotland.*

It appears from the reports of the English Commissioners in Lunacy, that the number of the insane in England and Wales is undergoing a steady and serious increase. From the data before us, we fear that in Scotland the same distressing fact must be admitted. They show that the number of pauper lunatics, which, on 1st January, 1858, amounted to 4737, had increased to 4980 on 1st January, 1859. We have no means of obtaining reliable returns of the numbers of the private insane, with the exception of those placed in asylums, but there is great reason to fear that they are increasing in a similar ratio. The distribution of the insane in Scotland, on 1st January, 1859, was as follows:—In public and district asylums there were 2496 patients, showing an increase of 116 since the corresponding returns of 1858. Of these patients, 1271 were men, and 1225 women; 809 were supported by private funds, and 1687 by parish rates. The patients in private asylums or licensed houses amounted to 821, being an increase of 76 since the returns of the previous year. Of these patients, 351 were men, and 470 women; 200 were supported by private funds, and 621 by parish rates. The insane in poorhouses amounted to 797, being a decrease of 42 since the returns of the previous year. Of these patients, 328 were men, and 469 women; all of whom, with the exception of 2 women, were maintained by their parishes. The decrease in the number of patients in poorhouses is due to the withdrawal from the roll of pauper lunatics of a considerable number of demented and imbecile persons placed in the ordinary wards of these establishments; but who, though formerly reported as fatuous to the Board of Supervision, are now certified by the parochial surgeon as not coming within the provisions of the Lunacy Act.

The pauper lunatics placed as single patients amounted to 1877, namely, 838 men, and 1039 women. Of these, 688 men and 794 women were living with relatives; 133 men and 197 women were placed with strangers; and 17 men and 48 women were living alone. Of private single patients, only 27, namely 12 men and 15 women, were reported to us in obedience to the requirements of the 41st section of the Act. We are, however cognizant of the existence of 1887, namely, 1041 men and 846 women, through the reports of our Visiting Commissioners; but by far the greater proportion of these patients are living under the care of relatives, and consequently do not fall under the provisions of the section alluded to. Our experience leads us to think that these last numbers, large though they may appear, still fall considerably short of the truth. The total expenditure by parochial boards on account of pauper lunatics, amounted, for the year 1858, to 80,652*l.* 2*s.*\* Of this sum, 50,425*l.* 13*s.* 10*d.* was for the maintenance of patients in public and private asylums; 10,877*l.* 14*s.* 2½*d.* for patients in poorhouses; 14,230*l.* 4*s.* 3*d.* for patients in private houses; and 5,118*l.* 9*s.* 8½*d.* for miscellaneous expenditure, including transport of patients and medical certificates. The average expenditure was 16*l.* 5*s.* 4½*d.* for each pauper lunatic; and at the rate of 27*l.* 19*s.* 1½*d.* for each 1000 of the population, according to the census

\* This sum does not include the expenditure for 22 pauper lunatics of the parishes of Kilfinichen and Craignish, in Argyllshire, from the inspectors of which no returns could be obtained. The sum thus omitted may be estimated at 392*l.* 1*s.* 2*d.*

of 1851. The average cost of maintenance in asylums was 21*l.* 18*s.* 2½*d.*; in poorhouses, 13*l.* 13*s.* 10*d.*; and in private houses, 7*l.* 12*s.* 10*d.*

The highest average rate of maintenance occurs in the county of Nairn, where it is 22*l.* 17*s.* 2*d.*; and the lowest in Shetland, where it is 10*l.* 2*s.* 9*d.* The highest expenditure for each 1000 of the population is 73*l.* 11*s.* 11*d.* in the county of Nairn; and the lowest 13*l.* 1*s.*, also in Shetland. In these instances, the maximum and minimum expenditure, whether computed by the average rate of maintenance of each pauper lunatic, or by the amount contributed by each thousand of the population, happen to coincide; but this result is far from being always the case. For example, the average cost of maintenance of each pauper lunatic in Ayrshire is 16*l.* 13*s.* 2*d.*, and the expenditure per 1000 of the population, 18*l.* 18*s.* 11*d.*; whereas in Forfarshire these rates are respectively 15*l.* 15*s.* 11*d.* and 30*l.* 9*s.* 6*d.* The counties in which, from their poverty, it might *a priori* be expected that the rate of maintenance should be lowest, are those of Argyll, Caithness, Inverness, Orkney and Shetland, Ross, and Sutherland. In these, accordingly, the average rate is 12*l.* 8*s.* 7*d.*, or 3*l.* 16*s.* 9½*d.* below the general average of the country. It is, however, remarkable that the average rate of Argyllshire is 17*l.* 16*s.* 5*d.*, which is not only above the average rate of the whole country, but is even higher than the average rate in the metropolitan county which is 17*l.* 1*s.* 4*d.* This anomaly is probably explicable from the fact that a large proportion of the pauper lunatics of Argyllshire—as many as 78 of 210—are sent to distant asylums, where their annual average cost is not less than 27*l.* 17*s.* 7½*d.* There is, moreover, an additional average outlay for each pauper lunatic of this county of 1*l.* 4*s.* 5½*d.*, chiefly for the expenses of transport and medical certificates. In Midlothian, on the other hand, the average rate of maintenance in asylums is only 21*l.* 7*s.* 4*d.*; and the average expenditure for each patient, for transport, medical certificates, &c., only 5*s.* 2*d.* The average parochial expenditure for single patients in the counties of Argyll, Caithness, Inverness, Orkney and Shetland, Ross, and Sutherland, when classified together, falls considerably below the average rate of the country; but Argyllshire, if taken alone, appears to be an exception to this rule, as the average rate for single patients in this county, excluding the parishes of Kilfinichen and Craignish, from which there were no returns, is 9*l.* 7*s.* 11*d.*,—a sum which is considerably above the general average rate. But this anomaly is partially explained by the returns from Argyllshire being exceptionally increased by the payment of 180*l.* by the parish of Kilmore and Kilbride as arrears on a long disputed claim. When this sum is deducted, the average allowance for single patients falls to 7*l.* 16*s.* 7*d.*, which is still in excess of the estimate of the Visiting Commissioners.

The chief objects which we had in view in our visitations were, first, to procure the removal to asylums of such patients as there were reasonable grounds for thinking were still capable of being restored to sanity, or, at all events, of being improved in mental health; secondly, the removal of those who, from the nature of their malady, or from the circumstances in which they were placed, there was reason to fear, might prove dangerous to themselves or others; and lastly, the removal of those who, from their mental or physical ailments, could not be properly cared for at home. Another equally important object was, as far as possible, to insure the proper treatment of those patients whose removal to asylums was dispensed with. With this view we frequently considered it proper to recommend an increase of the alimentary allowance, and a supply of bed and body clothing; and we had

occasionally to take steps to procure the removal of patients from out-houses to the dwellings occupied by the persons charged with their care. In other cases, where it was necessary for the adults of the family to leave home for their work, and where the patients were, in consequence, left either alone, or under the care of children, we called for the appointment of some trustworthy person, who should see to the proper care of the patient during the temporary absence of his responsible guardians. The attainment of these objects was often a matter of considerable difficulty, and frequently entailed a lengthened correspondence. There cannot be a doubt that many patients have in times past suffered grievously from neglect; and we are well aware that a long time must elapse before a better system of home treatment can be thoroughly established; but we trust that the risk of neglect is already considerably diminished, and we hope that such evidence of its occurrence as is afforded by scars and mutilation by fire, and the permanent contraction of the limbs, will every day become more and more rare. In Orkney alone, we have evidence of many patients suffering under permanent flexure of the limbs from intractable muscular rigidity; and, in the Highland counties especially, a large number of cases of most serious injury from burning have come under our observation.

We are inclined to ascribe great importance to the visitation of single patients, not only for improving the treatment and management of those actually visited, but for elevating the general condition of the insane, whether placed in asylums or in private houses. One of our chief objects in single visitations has been to inculcate sound principles regarding the nature of insanity, and to point out the advantages of early treatment in promoting recovery, and the effect of kindness and attention in warding off degrading habits when recovery is no longer probable. We aim, in short, at extensive and general improvement; and we have every reason to hope that the result of our labours will gradually become manifest, in the steady diminution of those degraded cases which our own investigations, and those of the Royal Commissioners, have brought to light. The condition of patients in asylums, too, cannot fail to be beneficially influenced by the improved character of the cases admitted; and the recoveries will certainly be increased from the greater promptitude with which those attacked are now placed under treatment.

After giving some instances of the beneficial operation of their visitation, the Commissioners continue: We do not conceal from ourselves the difficulty, we may almost say the impossibility, of exercising sufficient surveillance over patients who are scattered over the whole country. That all cases of insanity should be placed in asylums is a proposition which we cannot entertain; the welfare of the patients would not thereby be promoted, while the expense to the country would undoubtedly be greatly increased. But neither are we disposed to consider it a judicious arrangement that so-called harmless or fatuous patients should be congregated together in the lunatic wards of poorhouses. All great aggregations of permanently diseased minds are evils which should as much as possible be avoided, as their tendency is undoubtedly to lower and degrade each constituent member of the mass. Viewed in a certain light, then, asylums may be regarded as necessary evils; but in no view, save in the doubtful one of economy, can the establishment of lunatic wards in poorhouses, in which only chronic or fatuous patients shall be received, be regarded as otherwise than injudicious. These poorhouse wards are simply convenient receptacles for patients affected with chronic insanity or imbecility, in which their phy-

sical wants are more or less adequately supplied, but in which little or nothing is attempted, by means calculated to exercise the limited faculties which yet remain to them, to break the weary monotony of prolonged confinement. Many lunatics and imbeciles, though with perverted intelligence or deficient mental powers, have still warm affections, and are capable of deriving enjoyment from social intercourse. Others, again, though wayward and capricious, are much more likely to be manageable in small communities, than where, in large numbers, they are confided to the care of attendants, frequently of an inferior class, who have neither the will nor the capacity to make allowance for their peculiarities.

During the year 1858 the patients accommodated in public asylums increased from 2,380 to 2,496; the latter number comprising 809 private and 1,687 pauper patients. This increase was due, not so much to the provision of additional accommodation as to overcrowding. During the past year the condition of the public asylums has, on the whole, continued to improve, although, in several respects, it falls considerably below the general standard of English county asylums. But in making this comparison, we must direct attention to the fact, that in one very essential respect the Scotch asylums do not occupy nearly so favourable a position as those of England. In the latter country, the necessary funds are raised by assessment; and an asylum, calculated to afford accommodation for all the patients of the county, and supplied with all the necessary appliances, is at once provided. Should this accommodation be afterwards found to be insufficient, a further assessment is made and additional buildings are erected. In Scotland, on the other hand, the directors of the public asylums possess no compulsory powers of raising funds. The houses have been built with money derived from legacies, charitable donations, and subscriptions; and their extension chiefly provided for by the payments made for patients. The cost of the original building, and its subsequent extension, have thus both been defrayed from uncertain sources; and a considerable portion of the payments for patients has been diverted from the more legitimate object of providing for the proper treatment and comfort of those on whose account they were made, into furnishing accommodation for others. In this way, a large proportion of the public asylum accommodation in Scotland has been provided from monies levied directly on the friends of the insane, by making the payments on their account considerably exceed the expenditure; instead of by the fairer course of assessing the community. This procedure is well illustrated by the history of the Dundee Asylum. A sum, amounting to 7,706*l.* 10*s.* 8*d.*, having been raised by charitable contributions, the asylum was erected at a cost of 8,493*l.* 9*s.* 6½*d.* Accordingly, when opened for the reception of patients in 1820, a debt had been contracted of 786*l.* 18*s.* 10½*d.* In 1859, the sum expended on land and buildings had increased to 35,262*l.* 3*s.* 2*d.*, of which sum 5,640*l.* 1*s.* 4½*d.* had been obtained through further charitable contributions, and 4,144*l.* 8*s.* 9*d.* had been borrowed. It thus appears that during the 39 years which have elapsed since the opening of the asylum, the patients have contributed 17,771*l.* 2*s.* 4½*d.* beyond the cost of their maintenance; and this sum has been spent, not for the special benefit of these patients, but in providing accommodation for the district. In other words, a public want has been supplied from the private funds of those who, perhaps, of all the community, were the least able to afford the sacrifice.

The demand for accommodation has generally been in excess of the means at the disposal of asylum directors for its provision. Hence the overcrowd-



ing of the asylums, and the inability to provide many appliances required for efficient treatment, which would at once have been supplied had sufficient funds been forthcoming for the purpose. In corroboration of this remark, we may quote the unsuitable airing-courts of the Glasgow Asylum; the inappropriate nature of the sick wards of that of Edinburgh; and the defective accommodation of others, leading to the use of prolonged seclusion, of objectionable canvas dresses, and of other inappropriate means for restraining destructive propensities. It is thus evident that the patients in the chartered asylums of Scotland have hitherto laboured under one of the chief disadvantages which attach to private asylums,—the diverting of a portion of the payments made for patients to other objects than their maintenance. It may, no doubt, be more advantageous to the country that part of the payments should go towards extending the buildings of an asylum, rather than in the more questionable form of profit to proprietors; but the practice is, nevertheless, one which is open to serious objections.

*Dangerous Lunatics.*—We are of opinion that the procedure adopted in the disposal of so-called dangerous lunatics should be assimilated as nearly as possible to that followed in ordinary cases of insanity. That no practical difficulty would be found to prevent this, in the great majority of cases, may be inferred from the very different proportion of dangerous lunatics which occurs in different counties. Thus of the sixty lunatics who were arrested during the year 1859, and sent to asylums at the instance of the procurator-fiscal under the provisions of the 85th section of the Act, 1 belonged to Aberdeenshire, 3 to Argyshire, 1 to Ayrshire, 4 to Caithness-shire, 9 to Midlothian, 2 to Elgin, 2 to Fifeshire, 1 to Haddingtonshire, 4 to Inverness-shire, 2 to Kirkcudbright, 23 to Lanarkshire, 2 to Ross-shire, 3 to Roxburghshire, and 3 to Stirlingshire.

It will be observed that no dangerous lunatics were sent from the counties of Banff, Berwick, Bute, Clackmannan, Dumbarton, Dumfries, Forfar, Kincardine, Kinross, Linlithgow, Nairn, Orkney, Peebles, Perth, Renfrew, Selkirk, Shetland, Sutherland, and Wigtown. These differences are due not to the prevalence of more violent forms of insanity in the counties first named, or of more quiet forms in those last mentioned, but simply to the different procedure which is adopted in them respectively regarding lunatics found at large. In the second class of counties an opportunity is usually afforded to inspectors of poor to take charge of the patients; and as they generally avail themselves of it, the number of cases brought before the sheriff, in accordance with the provisions of the 85th section, is in a corresponding degree restricted. It is provided by the same section, that the person or the parish liable in the maintenance of dangerous lunatics “shall be liable for the expense of apprehending and of keeping and maintaining such lunatics in such asylum;” but the sheriff is not directed to name the person or parish liable. It is, however, not unusual for him to do so, and his decision tends to avert disputes in reference to the person or parish to be held responsible. At all events, it relieves the directors of the asylum to which the patient is sent from any uncertainty as to the party liable to them; and on this account it is desirable that the sheriff should be required, in granting his order for a dangerous lunatic, always to name the person or parish liable for his maintenance.

Some difference of opinion has arisen whether the statute contemplates that the expense of “apprehending” a dangerous lunatic should include the expense of witnesses, and of other charges connected with his examina-

tion before the sheriff. Occasionally, especially in Highland districts, these expenses amount to as much as 20*l*. in a single case, and are complained of by the parochial board as a heavy and unnecessary burden on the parish. Under former acts they were defrayed from the rogue-money of the county; and it may be open to question which of the two plans is the more advisable. The first certainly makes it more the interest of the parish to see to the proper care of the patients, and so to prevent them from being arrested by the constabulary; but, on the other hand, the lunatic may have been absent from his parish of settlement, and proceedings have been adopted without the knowledge of its authorities. The present system would perhaps, on the whole, be the better, provided it were enacted that examination before the sheriff should take place only in cases in which the public peace had been broken, and in those in which the inspector, after due intimation from the procurator-fiscal or superintendent of police, had taken no steps for the proper care and security of the patient. There is a strong inclination among parochial authorities to believe that proceedings at the instance of the procurator-fiscal against insane persons found at large are frequently undertaken for the sake of the fees which thereby accrue. On this account it might be advisable to afford the parochial board an opportunity of staying proceedings.

*Criminal Lunatics.*—The condition and management of criminal lunatics have undergone no material change since our last report. The number in the lunatic wards of the central prison, Perth, on 1st January, 1859, was 29, of whom 21 were males, and 8 females. There appears to be a growing inclination on the part of the public authorities to place criminal patients in public asylums, instead of in the lunatic wards of the central prison. This tendency, however, is checked by the uncertainty which prevails as to the parties who, in such cases, shall be considered liable for the burden of their maintenance; and it is accordingly of some importance that this point should be placed on a definite footing.

*Alien Lunatics.*—English and Irish pauper lunatics continue to be sent to their own country under the provisions of the Poor Law Act. We have no means of knowing in what manner these removals are habitually conducted, but there can be no doubt that they are occasionally carried out without due consideration for the welfare of the patients.

The Irish inspectors draw the following contrast between the treatment of Irish pauper lunatics in England and Scotland:—

“The law of settlement, in regard to paupers competent to take charge of themselves, is equitable on the whole, though occasionally harsh in its execution, as between this country and England; still we are not aware that any lunatics previously resident in the sister kingdom have been exported from it in the mode just narrated. On the contrary, we have never visited an asylum there without seeing Irish patients in it most kindly and considerately treated. So liberal-minded are committees of visitors, that in one institution in Lancashire, independent of thirteen from Scotland, there was, a year or two since, a very large proportion of patients natives of Ireland, who, becoming insane while in employment, were regarded as fair claimants on the public charities of the county. But even independent of those whose temporary residence or local engagements secured an admission into the asylum at Rainhill, there is another unhappy class with reference to whom we cannot deny ourselves the gratification of quoting from the report (1857) of the resident physician the following passage:— ‘Cases occur annually of poor Irish patients, crushed by disappointment in the following passage:— and who, seeking to return to their native home, become insane in America or on their passage back, being placed on shore by the captains of ships in Liverpool, are taken charge of by the police, and subsequently sent on to the asylum.’ Benevolence thus practically evinced speaks for itself, and needs no comment on our part.”

We quote these passages in support of our opinion that the present procedure in regard to alien lunatics in Scotland is frequently harsh, and

is regulated chiefly by pecuniary considerations. In one or two instances in which we considered it our duty to make inquiry regarding the disposal of alien lunatics, we were met by the argument that such patients, though receiving relief, are not pauper lunatics in the terms of the Act. On this ground, non-intimation of the cases to us was justified. In connection with this subject, we shall only further remark, that in the proceedings under the Poor Law Act for transmitting English or Irish pauper lunatics to their own country, the fact that the pauper is insane is not necessarily brought to the knowledge of the sheriff or justices granting the warrant.

*Property of Lunatics.*—The clauses of the Act which refer to the protection of the property of lunatics are of very restricted utility; and in order to insure the due application of a patient's means to his maintenance, they would require to be extended in conformity with the suggestions made in our last report. In an Amendment Act it would be important to provide for the prompt and inexpensive administration of estates of small amount, and for the proper application of the funds of those of greater magnitude. The following details regarding a case of recent occurrence will illustrate the way in which the provisions of the present statute for securing the proper application of a patient's means may be obstructed or defeated:—A person, in a state of dementia, was entitled, under his father's will, to the liferent of a house in a county town, and the interest of certain monies sufficient for his comfortable maintenance. On the application of trustees, the Court of Session appointed a *curator bonis*, who took an early opportunity of visiting the house, partly for matters of business, and partly to satisfy himself as to the manner in which his ward was treated. He found him in a filthy and neglected condition, under the care of a near relative and of two female domestics. Being dissatisfied with the appearance of his ward, and the character of his custodians, he shortly afterwards announced his intention to remove him from their care, and, with this view, he called on the relative alluded to to leave the house. To this request an answer was received from a solicitor, informing the curator that he was exceeding his powers, as the law conferred upon him no authority over the patient's person, but merely entrusted him with the administration of his property. Accordingly, when the curator next presented himself at the house, he was refused admission, and was thus prevented from taking the steps which, in his opinion, were necessary for the proper care and comfort of his ward.

Our attention was specially directed to this case by a letter referring to the neglected condition of the patient, and urging our interference. But from his being resident in a house which is his own "dwelling-place," and from there being no proof that he was subjected to coercion or restraint, in the meaning of the 43rd section, we did not consider that our statutory powers enabled us to interfere. The visiting commissioners, however, took an opportunity to call, and no objection was made to their visit. They report that, in their opinion, the patient does not receive that constant supervision and attention and that kindness which his condition demands; and that he has not that amount of comfort and freedom which the extent of his means could procure for him, and which he is perfectly capable of enjoying; but they do not consider the case as one of gross neglect.

## POST OFFICE.

*Sixth Report.*

A REMARK similar to that of my predecessor regarding the previous year applies also to the year just ended, viz., that though there has been an increase in our postal revenue, reductions have been made in the rates of postage between the United Kingdom and several foreign countries, and the inland post, which for many years had steadily and rapidly improved, has again made good progress, at once as regards the means of posting letters in town, the extension of rural posts, the frequency, speed, and regularity of the mails, the extent of the area in which free deliveries are made, the hour in the morning at which the first delivery is completed, especially in London and its suburbs, where it was formerly late, and the daily number of deliveries; and all this has been accomplished without any addition to the labour of the officers, though meanwhile their salaries and wages have in many cases been considerably augmented, so that the scale of remuneration is higher now than at any previous time.

*Extension of Inland Service.*—Last year the number of Post-offices in the United Kingdom was increased by 177, making the whole present number 11,412; of which 825 are Head Post-offices, and 10,587 Sub-Post-offices. To these must be added 1,958 road letter-boxes, 790 of which were put up last year. Thus, the whole number of public receptacles for letters is now 13,370, as compared with 4,518 before the establishment of penny postage. Although in some cases attempts have been made to deface road letter-boxes, and thrust dirt into them, I am glad to state that such abuse is rare; but I regret to state that an attempt was made to set fire, during the night, to the contents of a box at a Post-office, viz., that at Devonport, which, besides partially effecting this detestable purpose, greatly imperilled the whole building, and placed in jeopardy the lives of the post-master and his family. Fortunately, however, although there was some destruction of property, the fire was discovered in time to prevent the fatal catastrophe.

At 1,516 places free deliveries were established for the first time last year; and at 504 other places, including Newcastle-on-Tyne, Liverpool, and Londonderry, the free delivery was extended or otherwise improved.

About 93 per cent. of the letters, newspapers, and other postal packets delivered in the United Kingdom are now conveyed without any charge beyond the ordinary postage, by letter carriers and rural messengers, to the houses of the addresses; and this proportion, great as it is, is always on the increase.

The division of London into postal districts has brought to light some of the causes which there influence the increase and decrease of correspondence, and which could not have been ascertained had the circulation continued to be through one central office.

As an example of the postal effect of a parliamentary election in one of the metropolitan boroughs, it may be mentioned that the number of letters and circulars which passed through the post in reference to the Marylebone election was upwards of 70,000.

During the last year 77 towns were provided with day mails to or from the metropolis of one or other of the three parts of the United Kingdom, and some of them with mails in both directions; this mail being in several instances the third during the 24 hours.

The distance over which mails are now conveyed within the United Kingdom by railways, mail coaches, &c., steam-packets, boats, and foot messengers, is about 140,000 miles per day; being about 7,500 miles more than at the end of 1858. This increase is principally in railway conveyance, and in conveyance on foot; though the amount of the railway service, even now, does not much exceed that performed by coaches and mail carts.

On the 1st December, 1859, the mails conveyed by railway in England over 27,506 miles per week day, at an average charge of 8*d.*, the maximum being 3*s.* 6*d.*, and the minimum  $\frac{1}{2}$ *d.* In Ireland, over 3,267 miles, at an average charge of 1*s.* 2*d.*, the maximum being 4*s.* 1*d.*, and the minimum  $\frac{1}{2}$ *d.* In Scotland, over 4,831 miles, at an average charge of 10 $\frac{1}{2}$ *d.*, the maximum being 4*s.*, and the minimum  $\frac{1}{2}$ *d.*; total, 35,604, at an average charge of 9 $\frac{1}{2}$ *d.* Mails were conveyed by mail coaches, omnibuses, mail carts, &c., over 19,024 miles in England, 8,950 miles in Ireland, and 4,962 miles in Scotland; total, 32,936, at an average charge of 2 $\frac{1}{2}$ *d.* per mile. Mails were conveyed on foot over 49,803 miles in England, 8,362 miles in Ireland, and 10,799 miles in Scotland; total, 68,964 miles, at an average charge of 1 $\frac{1}{2}$ *d.* per mile; and mails were conveyed by packets and boats between different places in the United Kingdom over 1,134 miles in England, 62 miles in Ireland, and 1,621 miles in Scotland; total 2,817, at an average charge of 9 $\frac{1}{2}$ *d.* per mile.

*Number of Letters, Newspapers, and Books.*—The number of letters delivered in the United Kingdom during the last year, with the rate of increase, and the proportion of letters to population, was as follows:—In England there were delivered 446 millions, showing an increase of 4 $\frac{1}{2}$  per cent. over 1858, being 22 letters to each person. In Ireland there were delivered 47 millions of letters, or 7 per cent. more than in 1858, being seven letters to each person, and in Scotland 52 millions of letters, or 2 per cent. above 1858, being 16 to each person. Total, 545 millions of letters, or 4 $\frac{1}{2}$  per cent. above 1858, being 18 to each person. In Glasgow the proportion is as high as 22 letters to each person, in Liverpool 27, in Birmingham 27, in Manchester 32, in Dublin 34, in Edinburgh 35, and in London 43.

As compared with 1858, the total shows an increase of 22 millions; and as contrasted with the year previous to the introduction of penny postage (1839), an increase (omitting franks) of 469 millions; making the present number of letters rather more than seven-fold what it was in 1839. During the last five years the rate of increase, as contrasted in each instance with the number in the preceding year, has been as follows:—1855, 2 $\frac{3}{4}$  per cent.; 1856, 4 $\frac{1}{2}$  per cent.; 1857, 5 $\frac{1}{2}$  per cent.; 1858, 3 $\frac{1}{2}$  per cent.; 1859, 4 $\frac{1}{2}$  per cent.; average rather more than 4 per cent.

In the London office alone, counting the letters both inwards and outwards, and counting forward letters, there has been an increase of more than twelve millions. Nevertheless, by improved arrangements in sorting, this great increase has been disposed of without any additional labour being thrown on the officers; and, except as regards delivery, without any addition to the force. It is a striking fact that the number of London district letters, that is, of letters posted in the London district for delivery within the same,—the old twopenny post,—is now equal to the total number of letters, whether general or local, posted twenty years ago in the whole of England and Wales, London inclusive. The number of letters given in the foregoing statements includes those from beyond sea. The great bulk, however, are inland; the colonial and foreign forming less than

one-fiftieth of the whole. The number of registered letters last year was nearly 1,400,000, or one registered letter to about 400 ordinary letters. This number shows an increase of about 6 per cent. on the previous year. In 785 cases, or one in about 1,750, complaint was made that the registered letter had not reached its destination. All these letters, however, except 15, were afterwards recovered; and although there is no legal claim on the department for the contents of a letter, whether registered or not, the Post-office in six cases voluntarily made good the loss; fault in these instances having been traced by the department to its own officers. In the other cases, it was found that eight of the letters had been lost after they had left the custody of the British Post-office; and in the remaining instance too much time had been allowed to pass, before the loss was reported, to admit of the letter being traced. In 56 other cases similar complaint was made; but on strict inquiry it was ascertained that none of these letters had, in fact, been registered. The number of newspapers delivered in the United Kingdom last year was about 70,500,000. The number of letters returned to the writers, owing to the failure in the attempts to deliver them, was about 1,900,000; being about 200,000 more than in the previous year. This is equal to about 1 in 280 of the whole number of letters. Nearly half the non-deliveries was owing to the letters being addressed either insufficiently or incorrectly; more than 11,000 having been posted without any address at all. The amount of property found in letters which could neither be delivered nor, for want of an address in the inside, be returned to the writers, was about 260*l*. Owing to the cause mentioned in the case of letters, about 470,000 newspapers also were undelivered; being one in 150 of the whole number. In the case of newspapers, the cause of non-delivery is sometimes carelessness in the folding, and the damp state of the covers, occasionally, when the papers are received from newspaper agents. But it is found that, however caused, in the London office only one newspaper in five thousand escapes from its cover. The returned letters, as compared with those of the previous year, have increased in a greater ratio than the whole amount of correspondence; which is attributable in part to the circumstance, that insufficiently directed letters are no longer sent from place to place for trial, but, as speedily as possible, are returned to the writers. It is very desirable that greater care should be taken in making the addresses of letters complete and legible. About 60,000 letters were refused last year because they had not been prepaid. About 200 letters per day are posted at the chief office in London unsealed. The average postage of an ordinary inland letter continues to be about 1½*d*., and the average postage of a book packet rather more than 2*d*. Excluding official packets, the average weight of an inland letter continues to be rather more than a quarter of an ounce; that of a colonial letter, rather more than one-third of an ounce; and that of a foreign letter rather more than a quarter of an ounce. The average weight of an inland newspaper passing through the Post-office is about two ounces and a half; that of a colonial newspaper, rather more than two ounces; and that of a foreign newspaper, rather more than an ounce; the average weight of a book packet being about five ounces and a quarter.

*Money Orders.*—During the last year, 108 additional money order offices were opened in England and Wales, and 20 in Ireland; while in Scotland, although ten new offices were opened, 17 were closed owing to the small extent of their business. Thus the whole number of money order offices is

now 2,481, exclusive of colonial money order offices in connection with the United Kingdom. The number of money orders issued during the year were as follows :—In England there were issued 5,932,133 money orders of the amount of 11,358,057*l.*, being one money order to every three persons. In Ireland there were issued 498,828 money orders of the amount of 891,675*l.*, being one in 13 persons ; and in Scotland there were issued 538,147 money orders of the amount of 1,001,298*l.*, being one to every six persons. Total in the United Kingdom, 6,969,108 money orders of the amount of 13,250,930*l.*, being one in every four persons.

The increase in the number of money orders last year was nearly 300,000, which is at about the same rate as in the previous year. The money order system, though now productive of a large profit in England and Scotland, is still carried on at a loss in Ireland ; but I trust that the next report will show a profit there also.

To discourage the sending of coins by post, by facilitating the transmission of very small sums of money (for which the money order system with its necessary checks and attendant cost is scarcely applicable), provision has been made, in the London offices, for exchanging postage stamps for money. The charge is 2½ per cent., with a minimum of one halfpenny. Thus for 5*s.* worth of stamps, 4*s.* 10½*d.* is paid, and for stamps worth 1*s.* 8*d.*, 1*s.* 7½*d.*

*Foreign and Colonial Posts.*—The new postal convention with Portugal, referred to in the last report, was ratified by the Cortes, and came into operation in July last. Under its provisions a great reduction has been made in the postage of letters between this country and Portugal and Madeira, and a book post has been established. A new convention, with similar results, has been entered into with Nicaragua ; and the reduced rates of postage it includes have been extended to the Mosquito territory. A like convention also has been concluded, though not yet ratified, with New Granada ; and by its means a considerable reduction will be obtained in the high rate hitherto paid for the transit of our mails across the Isthmus of Panama. A new convention has been agreed to also with Uruguay. This treaty, which, like the others, provides for a large reduction of postage, was carried into operation in this country on the day appointed, viz., the 1st July last ; but up to the date of the latest accounts from Monte Video no steps had been taken for giving effect to it in the Republic.

Some negotiation was opened with Peru to reduce the rates of postage, and establish a book post, but they were abortive of any result. The negotiations for a new convention with the several states of the German Postal Union have only been partially successful. The charge for postage upon paid letters, exchanged with most of the states, has indeed been reduced from 8*d.* the half ounce to 6*d.* ; but letters to a few of the states are still charged at the old rate ; as those states would not agree to the reduction. With none of the states, moreover, is there yet any book post or any reduction of transit rates. Still less satisfactory is the progress made in the proposed convention with the United States of America.

The negotiations for a postal convention with the Netherland post-office have been suspended, and it has been determined to proceed no further in the matter until the Dutch legislature has repealed the heavy stamp duty now levied on newspapers from the United Kingdom. The long delay to which the mails from London to Hamburg were subjected at Hanover led to a correspondence with the Hanoverian Government, with a view to its removal, and I am glad to state that the object, so much desired by the

merchants of Hamburgh and ourselves, has at length been attained. The British post-office at Constantinople having proved insufficient, and in other respects ill-adapted for its purpose, a piece of land in the neighbourhood of the British Consular Buildings was purchased, and a new office erected. This office, which for an oriental work, has been built with unusual rapidity, under the superintendence of Mr. Edwin Baines, architect, appointed for this duty by my predecessor, has now been opened to the public, and will afford much additional accommodation to the merchants of Constantinople interested in the correspondence with this country. In the report for 1856, it was stated that the Turkish Government had accepted the services of Mr. Smith (who, as postmaster had been attached to the British army during the war in the Crimea,) to organize an improved postal system in the Turkish dominions. Although the value of Mr. Smith's suggestions was not disputed, no steps were taken towards their adoption; and towards the end of last year Mr. Smith was informed that his services would be no longer required. He returned, therefore, to this country, and has since been appointed postmaster of Leeds.

A British post-office has been established at Cairo; and the Secretary of State for India having announced that the Indian Government would no longer provide officers to accompany the Indian and Australian mails in their transit through Egypt, I have organized a corps of janissaries for the purpose. There is now a book post between this country and Egypt; and on the 1st of April, there will be one with Sweden.

The chief articles of a contract have been agreed to with the Anglo-Luso-Brazilian Royal Mail Steam Navigation Company, for the conveyance of an additional mail, monthly, to Lisbon and the Brazils.

A packet agent has been appointed at Nagasaki (Japan), and the correspondence for Japan is forwarded to Shanghai for transmission to Nagasaki by the best means that offer. According to the last accounts received, steam-vessels are frequently despatched between these two ports.

Sir Samuel Cunard having liberally offered to allow his packets, without any additional payment, to call at Queenstown (Cork), to land and embark mails, on the voyage to and from Boston, the offer was accepted, and the arrangement has been in operation about four months. The arrangement was extended, in December last, to the packets under contract to the Canadian Government, which convey mails every week between the British Isles, Canada, and the United States.

A contract has been concluded for giving an additional mail, once a fortnight, to the United States and Canada, by means of packets to ply alternately between Galway and Boston, and Galway and New York. The service is to begin not later than next June.

The French Government having within the last few days given its consent to the re-arrangement and acceleration of the mails between London and Paris, referred to in the last report, this important improvement will come into operation on the 1st May. By this alteration, instead of the present day mail, which is of little value, an effective day mail will be established, to start from each capital early in the morning, and to arrive the same evening in time for a delivery in London or Paris, and for a despatch to the country; and the night-mail will arrive much earlier than at present, so as to admit of the letters being sent out by an early delivery, or forwarded by the morning mails, to places beyond. Our share of the cost of this improvement will be more than 9,000*l.* a year; but the number



of letters sent to and through France fully warrants the additional expense.

The expectation held out in the last report of a great improvement in the Australian Packet Service, owing to its having been transferred to the Peninsular and Oriental Steam Navigation Company, has been realized, and the packet now often arrives at its exact time; occasionally, indeed, even before. Still there have been many cases of overtime, attributable, I believe, mainly, to the Company having been suddenly called upon to undertake this large addition to its previous duty, without time to procure, by building or purchase, a sufficient number of powerful vessels.

*Revenue and Expenditure.*—The gross revenue of the post-office in each of the years 1858 and 1859, exclusive of that derived from impressed stamps on newspapers (collected by the Commissioners of Inland Revenue), was as follows:—

The postage amounted in England in 1858, 2,475,961*l.*; in 1859, 2,665,710*l.*; in Ireland in 1858, 226,458*l.*; in 1859, 239,153*l.*; and in Scotland in 1858, 273,520*l.*; in 1859, 292,395*l.* Total in 1858, 2,975,939*l.*; and in 1859, 3,197,258*l.*

The commissions on money orders amounted in England in 1858, 94,850*l.*; in 1859, 99,274*l.*; in Ireland, in 1858, 7,960*l.*; in 1859, 8,177*l.*; and in Scotland, in 1858, 8,786*l.*; and in 1859, 8,966*l.* Total in 1858, 111,596*l.*; and in 1859, 116,417*l.*; making a total revenue of 3,087,535*l.* in 1858; and 3,313,675*l.* in 1859.

The gross revenue properly appertaining to the year 1859, adjusted with reference to the balances due to and from the colonies and foreign countries, was 3,299,825*l.*; being an increase of 198,886*l.* on the adjusted gross revenue of 1858. This increase is equal to nearly 6½ per cent. as compared with an increase of nearly 2½ per cent. in the previous year, and with an average of about 4½ per cent. in the last four years.

The great increase in the business of the department during the year, which has produced this large increase of revenue, is no doubt mainly attributable to the activity which has prevailed in all branches of trade and commerce, but also, in a certain degree, to the general election last spring, which alone produced an amount of correspondence estimated, in postage, at about 20,000*l.*

The actual expenditure amounted as follows in 1859:—Salaries, pensions, &c., 1,059,527*l.*; buildings, repairs, &c., 90,082*l.*; conveyance of mails by railways, 428,647*l.*; by coaches, carts, &c., and wages of mail-guards, 168,507*l.*; by mail packets and private ships (when paid for by the post-office), 5,454*l.*; manufacture of postage stamps, 25,940*l.*; miscellaneous, including the conveyance of mails in colonies, under the postal direction of the postmaster-general; the conveyance of the mails through Egypt; clothing for letter carriers and guards; official postage, rent, taxes, law expenses, &c., 148,746*l.*

The increase of expenditure properly appertaining to the year was 83,399*l.*, being rather more than 4½ per cent., as compared with 3 per cent. in 1858, and with rather more than 4 per cent., the average of the last four years.

The increase of 54,000*l.* in salaries, pensions, &c., is partly for an increased force of 430 officers, partly for poundage on money orders and postage stamps (which increases with increasing business), partly for annual increments of salaries and wages, and is partly owing to the fact that the

account for 1859 comprises 53 weeks. The increase under the head "miscellaneous" is attributable to the increase in the official postage of the department; an increase which is common also to the revenue.

The cost of conveyance, weight for weight, at the present rates paid by the post office—chiefly to railway companies—is now more than fourfold what it was when penny postage was first established, and when most of the letters were carried by mail coaches. It had been shown at that time by Mr. Rowland Hill, that the average cost of conveying an inland letter did not exceed one-thirty-sixth part of a penny, and that of a newspaper one-sixth part of a penny. But now, calculating on the same principle, the average cost of conveying a letter is one-eighth of a penny, and that of a newspaper (of the present average weight of  $2\frac{1}{2}$  oz.),  $1\frac{1}{2}d$ .

To the revenue accounted for by the post-office, and proper to the year 1859, I now proceed to add the produce of the impressed stamp on newspapers; and to the expenditure to add the cost of stationery (which is defrayed by the stationery office), and such portion of the cost of the packets (hitherto defrayed by the Admiralty, and partly incurred for other than postal purposes), as may fairly be placed to the debit of the post-office, viz., that portion which is repaid as sea postage; also to deduct from the expenditure part of the annual payment to the Holyhead Railway Company,—a payment agreed upon chiefly to assist in the construction of the line, and to promote passenger communication between England and Ireland. Adding to the revenue proper amounting to 3,399,825*l*., the produce of the impressed stamps on newspapers, 148,329*l*.; making a total of 3,448,074*l*.. The expenditure amounting to 2,312,114*l*., leaving a net revenue of 1,135,960*l*..

About a million of the net revenue, that is, nearly the whole of it, is derived from inland letters, each of which on an average yields a profit of about one-third of a penny, while the average postage is about  $1\frac{1}{2}d$ . It is believed that newspapers and books yield no profit, even if they do not entail a considerable loss; for while the average charge, taking newspapers and books together, is less than that for letters, the expense is greater; since, from their larger bulk and weight, newspapers and books give more trouble in sorting, are heavier in conveyance, and are a greater burden to the letter carriers. Again, it is thought that the great magnitude of some of the mails (chiefly caused by newspapers and books), and the idea (although I consider such idea erroneous) that the book post deprives railway companies of traffic in parcels, have a material effect in augmenting the sums awarded by arbitrators for railway service.

Since much of the cost of the packet service is incurred for other than postal purposes, only part of it, as already stated, is placed to the debit of the post-office, with such portion as is covered by the sea postage; the whole cost being charged to the post-office when the amount of sea postage is equal to the expense. If the foreign and colonial letters were charged with the whole cost of the packets, including that of foreign agencies, transits, and other incidental expenses, not only would the whole sea postage be absorbed, but these letters would show an annual loss of about 450,000*l*..

In proportion to the amount of correspondence the greatest loss is on the lines to the Cape of Good Hope, to the West Coast of Africa, and to Portugal; the cost in the latter case being more than six times the amount of postage. The greatest absolute loss, however, is on the four lines of packets to Australia, North America, the East Indies, and the West Indies, the Pacific, and Brazil; this loss being, respectively, 68,000*l*. a year on the

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Australian line, 79,000*l.* on the North American, 84,000*l.* on the East Indian, and 215,000*l.* on the West Indian, Pacific, and Brazilian. The only foreign or colonial packet service which pays its expenses is the small service between Dover and Calais, and Dover and Ostend; a service which is not only self-supporting, but yields a large profit.

As regards communication with distant places, experience proves that, within moderate limits, the number of letters is not much affected by the rate of postage; frequency, regularity, and speed of communication, appearing to have a far greater influence.

As far as is shown by the records of the office (which in this particular were much less complete a few years ago than they are now), the increase in correspondence of letters, consequent on the last large reduction of postage on colonial letters (generally from 1*s.* to 6*d.*), was but small; the increase in the case of Canada (an instance where the information can be relied on) having been only one-fifth in two years. On the other hand, the establishment for a time of the second mail to Australia (even when the route was by the Cape of Good Hope), making two per month, was followed by an immediate increase of correspondence by about one-third. Again, last year the rate of postage remaining stationary, there was a sudden and large increase in the Australian correspondence, owing, evidently, to the great improvement in the service consequent on its being transferred to the Peninsular and Oriental Steam Navigation Company.

*Staff of Officers.*—At the end of 1859, the staff of officers was as follows:—  
1. Officers in British Isles: postmaster-general, 1; secretary, assistant-secretaries, and secretaries for Ireland and Scotland, 5; other superior officers, viz., heads of departments, chief clerks in the metropolitan offices, &c., 18; surveyors, 15; postmasters, 11,398; clerks, &c., 1,594;\* mail guards and porters, 209; letter carriers, messengers, &c., 11,363; marine mail officers, 7: total, 24,608. 2. Postmasters, clerks, letter-carriers, &c., in the Colonies, the posts of which are under the direction of the postmaster-general, 129. 3. Agents in foreign countries for collection of postage, &c., 65: total, 24,802.

Of the above staff, about 1,500 belong to the chief office in London, and (including this number) about 3,300 to the London district. It has been stated under the head "money orders," that measures have been adopted which will so much simplify the work of the chief money order offices as, when fully carried into effect, to produce a saving of about 4,000*l.* a year. By improved mechanism in the collection of public money from the postmasters in the London district, another 1,000*l.* a year has been saved; and a further saving of about 1,000*l.* a year will be made by the adoption of better arrangements in the Liverpool office.

At the London office the rate of wages for the lowest class of letter carriers ranges from 18*s.* per week to 25*s.*; each one, though necessarily under 21 years of age at the time of admission, beginning at 18*s.*, and advancing 1*s.* per annum, supposing him to be diligent and well conducted, until he reaches 25*s.*; and always having a prospect, as promotion now in all cases depends on merit alone, of rising to a class of sorters, or even, if qualified, to one of clerks. Besides this payment in money, which it should be observed, is subject to no uncertainty from change of season or state of trade, every letter carrier is partly supplied with clothing, has gratuitous

\* The decrease in the force of clerks employed in the British Isles is mainly attributable to the revision of the Money Order Office.

medical attendance and medicine, is secured a pension in old age, and receives assistance in insuring his life for the benefit of his family. As respects the amount of labour, the limit aimed at is eight hours per day; notice being given that if any one finds his work occupy more than that time, he is at full liberty to apply for inquiry and rectification. Lastly, every letter carrier has once in each year a fortnight's holiday, without any deduction from his income.† It has been assumed that the thefts, which are unfortunately of too frequent occurrence in the post-office, are attributable to the want of sufficient remuneration to the letter carriers. From the foregoing statement your lordship will see that there is no ground for such conception; nor can I see reason to suppose that any increase of pay would put an end to the practice, or even materially check it.

There need not be the least difficulty in procuring, at the present wages, honest, intelligent, and industrious young men, perfectly qualified for the office of letter carrier; and I may add, that in cases of dismissal, happily a rare occurrence, considering the number of men employed, the most strenuous efforts are often made to obtain re-admission to the service. The real cause of the thefts is mainly to be found in the temptation which, in spite of repeated warnings, and notwithstanding the establishment of the money order office, and the system of registration, a portion of the public, with culpable heedlessness, still present to the letter carriers, by sending unregistered letters, containing coins or bank notes, the presence of which, especially coins, a practised hand can at once detect, while the folding is sometimes so careless as to allow the coin to drop out, even while the envelope remains undisturbed. With the greatest care in selection, it must always be expected that, in so large a number of men, there will be some who are dishonest, or whose honesty, at any rate, is not of that sterling kind which is proof against strong and frequent temptation. I think it very desirable that the post-office should have power to charge a registration fee on any letter which appears to contain money, or other tempting property; such letter, from the moment that it is first observed, to be treated as if it had been registered, and to have all the security which that treatment insures. When the supposition that the contents of the letter are valuable proves to be erroneous, the fee should of course be returned. The most common offence for which rural messengers are dismissed is intoxication,—an offence to which I fear they are sometimes led by mistaken kindness in offering them drink on their rounds.

*Miscellaneous.*—Advertisements, such as those referred to in the fourth report, still appear from time to time, asking for supplies of used postage stamps, on the pretence, generally, that for a certain number of these stamps admission can be obtained for a destitute child into some charity school. As already stated, such advertisements prove, on inquiry, to be destitute of foundation, and appear to arise from a silly desire to give trouble. One advertiser had, lately, the hardihood to announce that Government offered a payment of 30*l.* per million for such stamps; an announcement which caused many useless letters to be written to the post-office.

With a view of again putting the public on their guard against different kinds of fraud, and of suggesting explanations when it is supposed that

\* Besides the regular letter carriers, there is a small body of auxiliaries; who are nominally paid 10*s.* a week each, for attending five hours a-day; but as, with few exceptions, they supply the place of absentees, their actual wages are generally 16*s.* a week for an attendance of seven hours a-day; and they are, if qualified, appointed to regular places as vacancies occur.

letters have miscarried, a selection has been given in the appendix, page 83, from a number of cases in which it was erroneously believed that the department was in fault.

*Appendix.*—Showing the payment made for each of the foreign and colonial packets under contract with the British Government; the estimated sea postage on the correspondence conveyed by each line of packets; the profit or loss on each line; the cost of sea conveyance per ounce of letters, and per pound of printed matter; and the average sea postage per ounce of letters, and per pound of printed matter, in various classes of correspondence.

Packets.	Contract Payments.	Sea Postage.	Profit.	Loss.	The Cost of Sea Conveyance.*
	£	£	£	£	s. d.
(a) Dover and Calais and Dover and Ostend	15,500	76,000	60,500	—	—
(b) Peninsular .....	20,500	3,000	—	17,500	9 8 3-8ths
(c) North American ...	†191,000	112,000	—	79,000	2 6
(d) West Indian, Pacific, and Brazilian.....	293,500	78,000	—	215,000	4 8
(e) West Coast of Africa	30,000	4,000	—	26,000	6 1 15-16ths
(f) The Cape of Good Hope .....	32,400	7,500	—	24,900	2 4 6-16ths
(g) Australian .....	97,000	29,000	—	68,000	2 3 2-16ths
(h) East Indian .....	168,000	84,000	—	84,000	1 4 11-16ths

- (a) The estimate of sea postage in this case is based upon an account taken during seven (not consecutive) weeks, between May and December, 1859. It includes the postage on correspondence between this country and the continent, after deducting the sums repayable to foreign countries, and the British inland rate, which in this as in all other cases has been taken to be 1½d. per letter, and half the produce of printed matter. It does not include any portion of the postage on correspondence, passing through the United Kingdom, between the continent of Europe and foreign countries or British Colonies, the whole of which has been credited to the American, West Indian, or other lines of packets.
- (b) This estimate is based on an account of five outward and six inward mails, taken between May and December, 1859.
- (c) This estimate has been based on an account of seven outward and seven inward mails, taken between May and December, 1859.
- (d) This estimate has been based on an account of six outward and six inward mails, as regards the West Indies and the Pacific, and on an account of four outward and three inward mails as regards the Brazils. The whole account was taken between May, 1859, and January, 1860.
- (e) This estimate is based on an account of three outward and four inward mails, taken between May, 1859, and January, 1860.
- (f) This estimate is based on an account of two outward and three inward mails, taken between June, 1859, and January, 1860. Part of the loss on the service is chargeable to the colony.
- (g) This estimate is based on an account of three mails to Australia, and of three mails to and three from the Mediterranean and the Mauritius. The sum of 97,000*l.* is a moiety of the contract price, the other moiety being chargeable on the Australian colonies, which retain the produce of the mails sent to this country.
- (h) This estimate is based on an account of six outward and six inward mails taken between May, 1859, and January, 1860. The sum of 168,000*l.* is the amount payable by the Imperial Government after deducting that which is charged on the East Indian Government.

\* In dividing the cost of conveyance, it has been considered that a pound of printed matter is equal in point of cost to an ounce of letters.

† Of this sum, 14,700*l.* is paid for the line between Halifax and Bermuda, and Halifax and St. John's; and 3,000*l.* for the line between New York and Nassau.

## SHIPPING.

## VESSELS EMPLOYED IN THE FOREIGN TRADE.

An Account of the NUMBER and TONNAGE of VESSELS, distinguishing their Nationality, which ENTERED INWARDS and CLEARED OUTWARDS with CARGOES (including their repeated Voyages), in the Six Months ended 30th June, 1860, and the Year ended 31st December, 1860.

NATIONALITY OF VESSELS.	Six Months ended 30th June, 1860.				Year ended 31st December, 1860.			
	Entered.		Cleared.		Entered.		Cleared.	
	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.
British (United Kingdom and Dependencies)	8,526	2,482,020	11,652	3,146,569	20,104	5,762,464	23,713	6,359,103
Foreign	7,151	1,739,861	8,629	1,972,395	16,270	4,292,823	20,777	4,425,433
Total	15,677	4,221,881	20,281	5,118,964	36,374	10,055,287	44,490	10,784,536
Foreign of each nation								
Russian	136	41,740	142	46,303	435	125,612	396	116,991
Swedish	379	60,094	425	75,485	1,119	181,775	1,163	185,192
Norwegian	874	176,889	762	151,711	2,862	637,730	1,746	311,344
Danish	1,341	126,601	1,464	143,496	2,957	291,733	3,362	327,517
Prussian	625	147,150	598	135,787	1,795	425,436	1,595	350,086
Mecklenburgh and Oldenburgh	232	44,746	288	51,746	722	144,088	905	160,222
Hanoverian	411	33,360	653	54,302	970	81,196	1,666	134,919
Hanse Towns	259	92,732	385	136,050	580	212,006	867	290,788
Dutch	670	83,342	793	124,176	1,501	185,098	1,756	260,050
Belgian	101	23,167	115	26,623	257	54,166	262	59,102
French	946	81,422	115	190,716	2,187	186,524	4,068	430,440
Spanish	109	30,917	88	26,379	244	67,048	231	61,383
Portuguese	79	18,830	72	18,907	147	38,638	143	31,021
Sardinian	58	15,874	60	19,256	326	81,965	349	93,874
Sicilian	53	12,380	58	13,480	167	36,949	204	45,427
Austrian	153	52,077	206	69,018	467	152,058	501	163,091
Greek	10	2,968	21	5,745	59	16,125	54	14,231
Other European Countries	13	5,114	15	5,622	38	12,280	44	15,684
United States of America	692	688,844	711	674,861	1,417	1,361,021	1,466	1,367,988
Other countries in America, Africa, or Asia	10	2,624	9	2,273	20	6,355	19	6,081

## SHIPPING EMPLOYED IN THE FOREIGN TRADE.

An Account of the Number and Tonnage of Vessels Entered Inwards and Cleared Outwards, with Cargoes, (including their repeated Voyages) from and to various Countries, during Six Months ended 30th June, 1860, and during the Year ended 31st December, 1860.

Countries whence arrived, or to which departed.	Six Months ended 30th June, 1860.				Year ended 31st December, 1860.			
	Entered.		Cleared.		Entered.		Cleared.	
	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.
<b>British Possessions :—</b>								
North America ...	225	105,268	536	248,438	2,182	1,083,748	939	435,860
East Indies ...	506	351,749	570	384,652	899	616,110	1,107	762,901
Australia ...	110	89,773	209	167,280	153	124,833	385	306,844
West Indies ...	312	90,455	280	77,505	583	166,267	479	139,525
All other parts ...	964	167,881	1,275	302,545	2,058	354,143	2,583	599,856
<b>Foreign Countries :—</b>								
Russia—Northern Ports	358	80,738	1,000	195,024	2,859	606,186	1,904	407,873
" Southern	354	126,499	73	25,173	1,042	346,034	194	68,554
Sweden ...	647	36,602	503	76,989	2,345	422,766	1,370	201,166
Norway ...	702	127,892	443	58,934	1,631	274,459	1,124	152,411
Denmark ...	975	89,794	1,374	143,463	1,834	201,517	3,385	351,868
Prussia ...	1,019	197,172	1,184	192,945	3,341	606,334	2,403	411,454
Hanover ...	146	17,181	320	34,960	289	34,205	1,095	105,502
Hanse Towns	562	172,928	1,400	334,999	1,273	385,121	2,772	645,153
Holland ...	1,161	222,400	1,261	256,465	2,424	465,309	2,880	537,288
Belgium ...	662	110,327	667	115,802	1,415	232,936	1,311	227,813
France ...	2,669	344,668	4,420	608,790	5,881	737,159	9,876	1,325,989
Spain ...	607	96,302	377	203,535	1,014	165,726	2,160	426,831
Portugal ...	459	81,571	988	82,113	922	158,091	829	170,442
Sardinia ...	46	14,233	241	78,786	101	31,497	610	182,520
Two Sicilies ...	246	43,243	208	44,566	396	67,473	553	113,810
Austria ...	61	22,103	136	45,896	142	48,224	356	114,611
Turkish Dominions	327	86,922	353	106,354	825	212,373	656	195,725
Other European States	295	49,567	289	49,924	537	92,293	880	143,380
Egypt ...	168	81,799	143	73,674	320	163,467	411	181,966
United States	1,043	974,367	793	733,112	1,931	1,724,801	1,794	1,636,388
Mexico, &c.	807	104,405	315	114,684	562	199,117	689	249,936
Brazil ...	158	50,906	292	118,656	256	85,917	580	234,354
Peru and Chili	191	95,863	116	48,877	328	165,898	235	96,326
Other States	379	139,283	516	194,843	831	283,284	990	356,290
<b>Total</b> ...	<b>15,677</b>	<b>4,231,611</b>	<b>20,281</b>	<b>5,118,964</b>	<b>38,374</b>	<b>10,065,287</b>	<b>44,490</b>	<b>10,784,536</b>

## PUBLIC INSTITUTIONS.

*Report from the Select Committee appointed to inquire whether it is in the power of Parliament to provide, or of this House to recommend, further Facilities for promoting the Healthful Recreation and Improvement of the People by placing Institutions supported by General Taxation within reach of the largest section of the Tax-payers at Hours on Week Days when by the ordinary Customs of Trade such Persons are free from toil.*

THE Committee was appointed on the 16th February, and on the 23rd the following members were nominated:—Sir John Trelawny, M. Eliot Yorke, Mr. William Cowper, Mr. Russell, Mr. John Tollemache, Mr. Gregson, Mr. Sclater-Booth, Mr. Kinnaid, Sir Brooke Bridges, Sir Robert Peel, Mr. Du Pre, Mr. Hanbury, Lord Robert Montagu, Mr. Slaney and Mr. Cave. The Committee sat nine days and examined the following witnesses:—Mr. Henry Cole, C.B., Secretary and General Superintendent of the Science and Art Department in the South Kensington Museum; Mr. Antonio Panizzi, Principal Librarian and Secretary to the British Museum; Mr. Robert Hunt, Keeper of the Mining Records in the Museum of Practical Geology; the Rev. J. D. Maurice, Principal of the Working Men's College; Mr. Ralph Nicholson Wornum, Keeper and Secretary of the National Gallery; Mr. George Kenny, Master Printer; Sir Roderick Murchison, Director-General of the Geological Survey of the British Isles, and Director of the Museum and School of Mines; Mr. Thomas Henry Huxley, Professor of Natural History, and Curator of the Paleontological Collections; Mr. Trenham Reeks, Curator, Librarian and Registrar of the School of Mines; Dr. John Edward Gray, Keeper of the Zoological Collection in the British Museum; Mr. Charles James Whitmore, Printing Machinist; Mr. John Lilwall, of the Early Closing Association; Mr. George Scharf, Keeper and Secretary to the National Portrait Gallery; Mr. Edward Bryan, of the Potteries, Lambeth; Mr. Joseph Witham, of Messrs. Price and Co.'s, Battersea; Mr. John Ivory, Pianoforte Maker; Mr. John Heap, Engineer; Dr. Forbes Watson; Rev. William Rogers, Incumbent of St. Thomas', Charterhouse; Mr. Thomas Dabbs, Superintendent of the foundry of Messrs. William Cubitt and Co.; Mr. James Damm Plumber; Mr. Robert Matthew Morrell Goldsmith; Mr. Peter Le Neve Foster, Secretary of the Society of Arts; Mr. John Ruskin, Artist; Mr. Bennet Woodcroft, Superintendent of Patents Department, Kensington Museum; Rev. William Weldon Champneys, Rector of Whitechapel; and Rev. William Cadman, Incumbent of Marylebone.

The Committee reported as follows:—Your Committee have considered the question submitted to them under the two following aspects:—First. Whether facilities can be afforded to the people at large for visiting public institutions on week-day evenings, without injury to the buildings or their contents; the evenings being ordinarily the only time when they could in any numbers find leisure to do so? Secondly. Whether, provided such facilities were afforded, they would avail themselves of them in sufficient numbers to justify the increased expenditure that would be incurred thereby?

With reference to the first point, your Committee would submit that, from the evidence brought before them, the National Gallery, and portions of the British and other public Museums could safely be visited in the



evening, if proper precautions against fire can be taken. It has been stated in the evidence that, provided the ventilation be good, pictures and other works of art are not injured by the burning of gas. The experiment has already been tried in one instance, that of the Museum at Kensington, with the most successful results; not the slightest complaint have been made, either as to the effects of the lighting or the behaviour of the visitors.

With respect to the British Museum, the Geological Museum, and the Museum of the East India Company, your Committee find that although many of the objects they contain could not be so well inspected by artificial light as by daylight, yet that a large portion of the collections could be seen in the evening, and would afford much interest and instruction to the people; while a desire for a more intimate knowledge of such objects would no doubt be created, and could occasionally be gratified in the day-time, on general holidays, and in the summer evenings.

Your Committee also find that clear, legible labels in English, placed against specimens, and simple catalogues sold at a small cost, as well as occasional short popular lectures, are much appreciated by the working classes, and very much tend to awaken a love for useful knowledge and natural history, as well as works of art.

With regard to the second point, your Committee are assured, that although the Kensington Museum is, from its distance, the most difficult of access to the working classes of all the public institutions, yet that during the last three years, in which it has been opened for three evenings in the week, upwards of half a million of persons have visited it in the evening; and the general superintendent stated in his evidence that "on Monday nights the majority of visitors are certainly from among the working classes."

But from the extent of the metropolis, even the most central institutions must necessarily be at a great distance from those districts which are peculiarly the residence of working men, and therefore to visit them would demand too great a sacrifice of time and of money to make them generally available to the majority of the people; and yet, from the numbers even of working men and their families who have at night visited the Kensington Museum, there cannot be a doubt that, were they open in the evening, quite as many would frequent the British Museum and the National Gallery as could be safely accommodated.

Your Committee are therefore impressed with the conviction, that the same course should be followed with surplus works of art and duplicate specimens at the Museums, that has been tried with so much success in the Government Schools of Design throughout the country; namely, that there should be loans of such works of art and objects of curiosity, under proper regulations, wherever responsible parties would provide suitable premises for their exhibition. Thus, instead of our vast national collections being virtually entombed as at present, or becoming so vast as to bewilder, and yet so crowded as to be hidden, profitable recreation would be provided in the various crowded districts of the metropolis, which would successfully compete with places of demoralizing amusement.

It appears that the hours of business are still so late in some cases as to make it difficult for mechanics, artisans, and others, occupied in trade to go to any distance for purposes of recreation or instruction; yet your Committee are glad to learn that there is a gradual and steady improvement in this respect, by the earlier closing of shops, the earlier payment of wages,

and the extension of the Saturday half-holiday. In any case the majority of working men leave their employments before seven in the evening; and all the meetings at Mechanics' Institutes and People's Colleges, and all classes for mutual improvement, are held in the evening. The evening seems likewise the time when the wives are mostly in the habit of going out with their husbands.

Your Committee have also received evidence of various movements among working men themselves in order to obtain access to public institutions in the evening. It appears that the Council of the Society of Arts has presented two memorials from Mechanics' Institutes to her Majesty's Government, one of them signed by the representatives of 300 such institutions, praying that the National Gallery and the British Museum may be opened in the evening, in the same way as the Kensington Museum is opened. Petitions have likewise been forwarded from the largest engineering establishments in the metropolis, signed in each case by all the mechanics belonging to them, praying that they might be allowed on Saturday evenings to visit the collection of machinery in the Kensington Museum. Moreover, your Committee have found throughout their inquiry, that whenever lectures or interesting exhibitions have been available for working men in the evening, they have invariably been well attended.

Your Committee would therefore submit, that institutions such as the British Museum and the National Gallery should be opened on week-day evenings to the public, and that as the opportunity thus afforded of bringing the instruction and pleasure to be derived from visiting them within the reach of those who are occupied during ordinary working hours would be appreciated by them, it is desirable that they should be thus opened, under due regulations, between the hours of seven and ten in the evening, at least three days in the week. Monday and Saturday appear to be the most convenient days to the public at large.

The following items are collected from the evidence:—

*British Museum.*—In the opinion of Mr. Cole, there are parts of the Museum which might be lighted up without danger from fire. The library could be lighted up from the outside, and there are already open fires all throughout the rooms, and people walk about with open lights. In his opinion, gas is not more dangerous than that. Mr. Panizzi said:—"I do not believe there is much fear of fire, if it were properly managed. I believe it is true that iron, if heated, is a very bad material for any building; but, in order to heat it, you must have a material to burn. Now, in the British Museum, if you have the book-cases and floors of iron or of stone, or any incombustible material, I do not think it is possible to set fire to it. In a great many parts of the old library there are book-cases, tables, and floors made of wood, which are extremely dangerous; but if they were of incombustible materials, I do not think there would be any danger. I think that books are very difficult to burn. An iron building would be more combustible if there are combustible materials in it. Suppose you had here combustible materials, and that this floor was iron, and other things round the room were iron, but that the combustible materials were in such quantities as to feed a large fire, then there is no doubt that iron is much worse than anything else; but if you have nothing to burn on it or about it, I do not think there is any possibility of harm from iron."

The Rev. Mr. Maurice and others stated that it would be a great boon to

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the working classes if the Museum were open in the evening, and if lectures were given there. The exact opportunities afforded to the public of seeing the library and the other parts of the Museum are as follow :—  
 “The reading-room is open every day in the week all the year round except three weeks, which are, the first week in January, the first week in May, and the first week in September. Then the whole of the Museum is shut, and the reading-room in consequence is shut for the purpose of cleaning, arranging, and performing such operations as cannot be performed whilst the public are admitted. Readers are admitted to the reading-room at nine in the morning all the year round, and they stay till four o'clock in the winter, that is for the months of November, December, January, and February. To-day the reading-room begins to be kept open till five o'clock. It will be kept open until five o'clock to the end of April: and then after the first week in May, when I said it is kept closed altogether, it will be open at nine, to be kept open till six o'clock. The same is done with the exhibition-rooms, but not daily. The exhibition-rooms for the collections are open at ten o'clock, only three times a week, namely, Mondays, Wednesdays, and Fridays, during eight months of the year. It was always so up to four years ago. About four years ago, when there was a feeling abroad that clerks and workmen should have a half-holiday on the Saturday, the trustees thought it would be as well to have the Museum open on that day for that reason, and it has been open for the last four years, not by the general rule, but by a rule which the trustees pass every year, and which has been already passed for this year; that during the four months of the summer, May, June, July and August, the British Museum be kept open for the public, as to the collections, from twelve o'clock to six o'clock. The reading-room is kept open every day in the week, and the exhibition-rooms are kept open only three, now four, times a week. During these four years that the British Museum has been open on Saturdays, the attendance has been 500 a day, whilst on other week days the average attendance is 2,000 a day. There are two kinds of objects which are to be kept in view: the reading-room which is one thing, and the merely seeing the collections either for amusement or scientific purposes. I think that what is done now there is pretty nearly as much as can be done; certainly for the reading-room you cannot do more, being opened as it is all those hours I have mentioned. For the exhibition of the collections, we must consider not only the public who come for amusement, and to learn something, but artists and scientific men who come to study, for instance, a mineral, or an object of fine art; and I think that to have given up the Saturday now to the public, with very little result after all, is a thing that is not for the advantage of the public in general; because it is very true that about 500 visitors have availed themselves of that day, yet they have availed themselves of it to the exclusion of artists and other people who wish, when they come, to be quiet, and to look at the objects with a more critical eye.”

As to keeping open the Museum in the evening from 7 till 10 o'clock, the Trustees considered the subject very carefully, and seeing the great expense of lighting and attendants, the insecurity and danger, they declined to take the responsibility of it. Mr. Panizzi would have no objection to an experiment being made by opening a portion of the Museum in the evening. Dr. Gray, on the other hand, considered that no useful result would be gained by opening the British Museum from 7 till 10 in the evening, although many might attend it as a mere place of amusement. The plan

now adopted of keeping the Museum open till 7 o'clock was an utter failure. Dr. Gray said :—"I feel that every kind of facility should be afforded to the public, as well as to scientific men. As far as that is concerned, a very much smaller collection, which would be in no danger of being burnt, might be formed, which would be equally attractive, and more instructive as being more easily understood by the mass of the people in general. We are to consider that there are certain things contained in our vast scientific Museum, which are of much importance and which cannot be replaced. I have always advocated the opening of three or four museums of a minor character in the sections of London, and leaving the one great scientific Museum in the centre, and I think that much greater advantage would be derived from opening small collections of an evening, than from opening the large and central one, which ought to be the great scientific basis of the whole; the small collections might be opened at a very limited expense, and placed under the officer of the museum.

"My own impression is, that a very large proportion of the people who come to the Natural History Collection come from the north, south, and east of our building, because the people who study our Natural History Collections appear to me to be of the poorer middle class and the poorer class; it is by these that natural history is more generally studied. It comes within their means to collect and study, both as to books and specimens; and it is a subject that is exceedingly looked after by the mass of the people. I believe it is most important to have the chief collection in a central situation; we have hundreds of men, for example, coming from Spitalfields and that neighbourhood, who bring their birds' eggs, or their birds, or their insects, for comparison, and the insect room is constantly filled with a large number of persons who bring insects they want to name.

"I look upon the Museum rather as an institution to teach the higher branches of science than as a mere place of amusement, or I do not think any advantage of a scientific character would be derived from opening it in the evening, and I doubt if the people would attend at those hours to whom it could in any way be useful; persons fond of Natural History and other quiet studies like to spend their evenings at home. I say this after long acquaintance with naturalists of all ranks and many operative students."

Dr. Gray did not think it beneficial to have lecturers going round at stated times to explain to the visitors the various objects. All they could do would be to go round and have a small crowd round which would interrupt the general course of the other visitors. He objected also to the delivery of gratuitous lectures. "Gratuitous lectures are not beneficial, nor are much estimated by the people at large; they seem to consider them just worth their cost; and my experience of lectures in Paris and other places has been the same. We have, in London, a number of scientific men who give lectures on these subjects, and they give their lectures better than we should, if there was a Government lecturer, and they made a business of it. I should call myself a free trader on that subject. I think it is better that the lectures should be by such men as lecture at King's College or the University College, who do come and make use of our collections, rather than that we should give the lectures, or have lecturers appointed for the purpose. Competition makes lecturers who receive money for them keep themselves up to the subject; paying students attend regularly."

*Geological Museum.*—The museum is open every day with the exception

of Friday from 10 to 4 o'clock for four months in the year, and from 10 to 5 o'clock during the remaining months in the years.

Mr. Hunt said: "There is a broad distinction to be drawn between a museum containing specimens of Art, and a museum devoted mainly to Science and its applications. One can be seen, as it were, at a glance; the other requires very close examination. Now, the character of our museum, as designed by Sir Henry De la Beche, and pretty fully carried out, is to illustrate the practical applications of geology. Hence, for example, we first show the raw material. Take the copper ores, as an instance; the various copper ores, which are commercially valuable, are exhibited, and then the processes by which that copper ore is brought into marketable value; the series terminating with some illustrations of the applications in arts and manufactures. Now, to render that intelligible, it is very necessary that the raw material, the slags and the different metallurgical processes, should be carefully and closely studied. I do not mean to say that arrangements might not be made by which they could be well studied at night, but in our establishment I think that there are insuperable difficulties to doing so, from the arrangement of the building. It never having been contemplated to introduce artificial light."

The lectures at the Museum have been very successful. As to the contents of the Museum, Mr. Hunt said: "Practical geology embraces a very wide field; that is the original design of the Museum; we therefore take all the metalliferous minerals and products of the United Kingdom, and exhibit them in their natural condition—in the raw state. In addition to that, for the purposes of rendering the Museum educational, we have a very complete collection of all the modes of occurrence of the minerals, and all the various phenomena of the mineral lodes, and the like. Then with regard to each one of the minerals, we illustrate the process or the results of each step in manufacture, until we bring it to a marketable article, and show the uses of it in arts and manufactures. With regard to mines especially, and metallurgical matters, we have models and other means of illustration. For example, with regard to mines our models are not complete; but although the limits of our room prevent our adding largely to that part of the collection, we are continually introducing such models as tend to show the means by which human labour may be facilitated, the means of ascending and descending the mines, the various mining tools; also models of the mines themselves, showing the modes of working them, of the pumping machinery, and of the winding machinery.

"Being connected with the Falmouth Polytechnic Institution, the Museum has had great facilities for the collection of such objects. We also have carried out, to a certain extent, an historical illustration of the collection, in connection with our metalliferous manufactures, showing many examples of the various metal manufactures which have from time to time been employed; for example, the early uses of bronzes as in the Celt's arrow heads, and the like, which have been collected in our mining fields. This has been more fully carried out in connection with our fictile manufactures. In connection with clays, silica, and the like, the pottery and the glass collection being tolerably complete, as to British manufactures; with some few other illustrations.

"In addition to the above, as to the character of the Museum, we have a very complete collection, which may be regarded as more strictly scientific than those which I have named the British Organic remains, which are

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very perfectly classified and arranged, I think it would be almost impossible to devise any means of lighting by which these could be rendered sufficiently intelligible to people at night. Many of the objects in the collection are obscure, and the forms of them require the best possible daylight to observe them. I do not think that an advantage would be gained in that part of the collection by extending the time after the departure of the daylight."

*National Gallery.*—Mr. Wornum stated that there has been a great increase in the number of pictures. "The present building was opened in 1838 with 163 pictures, and the rooms appeared to be full; we have only five rooms, and there is a little passage and entrance hall, the five rooms and passage appeared to be full with 163 pictures; we have now hanging up 290 pictures, many of them very large indeed, of an enormous size; and I have got others, which I am waiting to hang up, I shall have to squeeze in 33 more pictures; so that we shall have in a fortnight's time 323 pictures, where we formerly had only 163, and the rooms were then full. Now we have nearly double the original number, and the space remains the same; the consequence is, that many of the pictures are comparatively out of sight; people with long sights can see them, but others cannot.

"In the last year we had 4,201 people every day, and as we are only open on an average seven hours a day, that would give us 10 people every minute; but although the Institution was open to the public seven hours, of course they did not come regularly. We had 4,201 daily; that gives 600 an hour for the seven hours, but they did not come 600 in the first hour, or 600 in the last. Unfortunately they all crowd in in the middle of the day. The ordinary number that we have between 10 and 11, I think, is 100; and between 10 and half-past 10, probably 30. Those persons who wish to see the pictures well should come at 10. After 11 people begin to drop in; between 1 and 12 we have at least, on the average, 10 times as many as between 10 and 11; and between 12 and 1, and 1 and 2, and sometimes between half-past 12 to half-past 3, we are almost inconveniently crowded, especially on the great days, when there will be from 18,000 to 19,000 people, such as Easter Monday and Whit Monday. Also on fine days. The crowds generally come on Mondays, when we have 7,000 or 8,000. Yesterday, being Monday, there were nearly 6,000, but there were only 100 before 11 o'clock; the crowd come in at the later hours. When there is a great crowd, it is exceedingly unlikely that there could be anything like correct criticism, but the people seem to enjoy the pictures, and seem pleased with them. A very short time ago I saw two dirty boys there. One was a big boy and the other a little boy, and the little boy could read but the big one could not, and he asked the little one the subjects. There are a good many of the early Florentine pictures, of the Virgin and Child; and when he came opposite a new picture, which had just been hung, 'The Infancy of Jupiter,' by Julio Romano, he said, 'What is this? another Virgin Child, I'll lay a guinea.' That was his impression, from the other pictures of the 'Virgin and Child,' and it is a good specimen of popular criticism. I do not see how it is possible that the mass of the people could ever make good criticisms of the pictures."

*South Kensington Museum.*—The opening of the Museum from seven to ten in the evening, Mr. Cole said, has been a perfect success. "The Museum is opened every day; three days in the morning are free to the public, and three days reserved for study; we call them students' days; two evenings are free, and one evening is for study. In 1857, from June, when the

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Museum first opened, to the end of the year, the numbers in the free mornings were 100,633; in the evening 138,802, besides those on the students' days; in the students' mornings they were 19,744, and on the one students' evening in the week 9,112, making a total for that period of 268,291. In 1858 the number in the morning on the three free days was 198,082, and 204,961 in the evening; on students' days 39,190 in the morning, and on students' evening 8,800; exceptional evenings for societies 5,255, making the total for the year 1858, 456,288. Now in the last year, 1859, on the three free days in the morning the numbers were 223,590; on the two evenings 196,574; on the students' mornings the numbers were 39,498, and on the students' evening 7,985. Exceptional evenings for societies 7,718, making a total of 475,365 for the year, being an increase of just about 20,000 upon the preceding year. On Monday nights the majority of visitors are certainly working people, who come in their fustian jackets with clean collars, bringing perhaps a wife and two or three babies and children.

"Their conduct has generally been irreproachable. I think during the three years, I have only heard of one person being excluded for not being able to walk steadily. This morning I got at a fact bearing upon the temperance of the visitors. We established at South Kensington a refreshment-room; we thought it would promote the convenience of the visitors and the general good conduct of the place, if refreshments could be had subject to regulations; we were a little laughed at for opening a beer-shop, and that sort of thing, but the result has been perfectly satisfactory. During the last month of February, 45,354 persons visited the Museum, and to show how very little they indulged in what might be supposed to be injurious to them, there were only 20 bottles of wine drunk, 5 bottles of brandy, 6 quart bottles of ale and stout, 71 pints, 80 gallons of draught ale, and 20 gallons of porter, which, being reduced to an average, is as follows: each person had upon the average,  $2\frac{1}{2}$  drops of wine  $\frac{1}{8}$ ths drops of brandy,  $10\frac{1}{2}$  drops of bottled ale, and so on.

"Many of the persons who attend come from a considerable distance. During the latter part of last year, being desirous of knowing whether people did come from a distance, a form was prepared, and we invited any persons who were willing to state where their residence was. In September last, 1,530 visitors freely gave their names and addresses; a few people objected, and thought we were rather inquisitorial; still it was freely done. Of that number, 402 came from the provinces; 71 were foreigners; 201 came from beyond six miles; 87 within six miles; 91 within five miles; 205 within four miles; 203 within three miles; 156 within two miles; and 114 within one mile. So that a large majority may be said to have come from beyond three miles."

*National Portrait Gallery.*—This institution was established by a Treasury minute of December 2, 1856. There were 97 pictures, 34 of which were donations. The space is very limited. The Gallery will not be attractive to the working classes, said Mr. Scharf, "until a certain number of pictures had been collected. Those who now visit it, and take an interest in the collection, are educated people, to whom every picture is a kind of reminder. Those who study physiognomy are particularly interested in it; we have many artists; but I think that the working classes would hardly be impressed sufficiently till they saw the portraits in greater numbers. If we had sufficient materials to illustrate each reign, and to group them together,

so as to form epochs, with explanations in light and popular catalogues, I think that the public would take a very great interest in the matter. There is a large collection of valuable portraits in the British Museum, which are entirely lost in their present position; they would afford an immense accession to us, and would put us very far forward on our mission. I believe also that the authorities of the British Museum would find that same space very serviceable for other purposes. Ultimately the public may desire to see sub-divisions formed in it, embracing everything tending to afford portraiture and to illustrate the history of our own country at different periods. I fancy that even historical pictures representing great events, combining portraiture, costume, and views of ancient localities, would be very popular; many old paintings still exist which exhibit these combinations. The battle of Agincourt, the Field of the Cloth of Gold, the embarkation of King Charles II. for England, the landing of King William at Torbay, would all afford a very great interest. At present, under the term "portraiture," may be included sculptured busts, statuettes, and medallions; paintings, enamels, miniatures, and metal-work. We already possess a medallion of Kirke White, and two busts of Shakspeare and Mary Queen of Scots, from their respective monuments at Stratford and Westminster Abbey. The former was presented by Mr. Albert Way, F.S.A., in illustration of the Shakspeare portrait presented by the Earl of Ellesmere at the foundation of this gallery. A collection of engraved portraits, biographical publication, and works on portraiture has been commenced; several publishers have forwarded donations to it."

*East India Museum.*—The industrial museum contains specimens of all the manufactures of India; there are specimens of all sorts of fabrics, and of every other kind of manufactured article made in India, and it contains in addition to that specimens of the products of every part of the country. It contains, likewise, specimens of the sculpture of India; it represents, in short, an epitome of India in all its departments. Natural history is likewise well represented; in short, India in every department, whether taken in connection with industrial art, with the arts generally, or with the natural history of the country or its social condition, has a full representation in that museum. It is of great use to the industrial portion of the community in this country to be able to know what the products are of the East Indies, and what products would be likely to be received in return from this country.

*Opening of Institutions by Night.*—Mr. Lilwal said, "that the great bulk of the people in this country are so fully occupied during the day, that they are virtually excluded from these institutions so long as they are not open of an evening. As to the observation which has been made of their rushing through these places, I think that it arises from the circumstance of their having at present so few opportunities of seeing them; they want to cram a great deal of amusement into very little time; but if these places were opened of an evening they would become objects of great interest to the persons frequenting them, who would then look at the different specimens that were presented with more interest and more care; in short, as I before stated, a love and a taste for such places would be developed by the opportunity of visiting them. Such institutions would be interesting to all classes. Men have a great many things in common, and I think the proposed boon would be appreciated by the industrial classes generally. The institution which has been more particularly referred to, since I have



been here, has been the British Museum. I think that the National Gallery especially should be opened. I think that the pictures might be seen very well at night, not so well perhaps as by day; but still in the absence of an opportunity to see them by day, it would be a great privilege to persons to be allowed to see them in the evening. I might mention that I have been so much impressed with this, that some years ago, in a pamphlet which I wrote on the half holiday question, I strongly recommended the adoption of this arrangement. I think that a lesson might be taken in the matter from the theatres: we do not find that the proprietors open these places of amusement in the day-time; if they did so, we know that bankruptcy would be the certain result. In connection with public institutions which are intended for the benefit of the people, it would seem desirable to copy what is done by those who make it a matter of pounds, shillings and pence."

*Value of Ancient Pictures as a means of Education.*—Mr. Ruskin deemed it inexpedient to submit valuable ancient pictures to the risk of injury from gas. He said, "I would especially recommend that our institutions should be intended for the help of persons whose minds are languid with labour. I find that with ordinary constitutions the labour of a day in England oppresses a man, and breaks him down, and it is not refreshment to him to use his mind after that, but it would be refreshment to him to have anything read to him, or any amusing thing told him, or to have perfect rest; he likes to lie back in his chair at his own fireside, and smoke his pipe, rather than enter into a political debate, and what we want is an extension of our art institutions, with interesting things, teaching a man and amusing him at the same time; above all, large printed explanations under every print, and every picture; and the subjects of the pictures such as they can enjoy." Speaking of his experience of his men, he said, "I have found particularly that natural history was delightful to them; I think that that has an especial tendency to take their minds off their work, which is what I always try to do, not ambitiously, but reposingly. I should like to add to what I said about the danger of injury to *chefs-d'œuvre*, that such danger exists, not only as to gas, but also the breath, the variation of temperature, the extension of the canvases in a different temperature, the extension of the paint upon them, and various chemical operations of the human breath, the chance of an accidental escape of gas, the circulation of variously damp air through the ventilators, all these ought not to be allowed to affect the great and unreplaceable works of the best masters; and those works, I believe, are wholly valueless to the working classes; their merits are wholly imperceptible except to persons who have given many years of study, to endeavour to qualify themselves to discover them; but what is wanting for working men is historical painting of events noble, and bearing upon his own country; the history of his own country well represented to him; the natural history of foreign countries well represented to him; and domestic pathos brought before him. Nothing assists him so much as having the moral disposition developed rather than the intellectual after his work; anything that touches his feelings is good, and puts new life into him; therefore I want modern pictures, if possible, of that class which would ennoble and refine by their subjects. I should like prints of all times, engravings of all times; those would interest him with their variety of means and subject; and natural history of three kinds, namely, shells, birds and plants; not minerals, because a workman cannot study mineralogy at home; but whatever town he may be in, he may take some interest in the

birds, and in the plants, or in the sea shells of his own country and coast. I should like the commonest of all our plants first, and most fully illustrated; the commonest of all our birds, and of our shells, and men would be led to take an interest in those things wholly for their beauty, and for their separate charm, irrespective of any use that might be made of them in the arts. There also ought to be, for the more intelligent workman, who really wants to advance himself in his business, specimens of the manufactures of all countries, as far as the compass of such institutions would allow."

As to the condition of the working classes, Mr. Ruskin said, "I have watched them in their times of recreation; I see them associated with the upper classes, more happily for themselves; I see them walking through the Louvre, and walking through the gardens of all the great cities of Europe, and apparently less ashamed of themselves, and more happily combined with all the upper classes of society, than they are here. Here our workmen, somehow, are always miserably dressed, and they always keep out of the way, both at such institutions and at church. The temper abroad seems to be, while there is a sterner separation and a more aristocratic feeling between the upper and the lower classes, yet just on that account the workman confesses himself for a workman, and is treated with affection. I do not say workmen merely, but the lower classes generally, are treated with affection, and familiarity, and sympathy by the master or employer, which has to me often been very touching in separate cases; and that impression being on my mind, I answered, not considering that the question was of any importance, hastily; and I am not at present prepared to say how far I could, by thinking, justify that impression."

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#### DURHAM DIOCESE.

*A Copy "of a Memorial addressed to the Ecclesiastical Commissioners for England, in respect of Local Claims from the Diocese of Durham on the Funds of the Commissioners: and the Answer thereto." (Earl de Grey.)*  
30th April, 1860. (100 L.)

On the 4th January the Bishop of Durham sent to the Ecclesiastical Commissioners a copy of a circular addressed by him to all the landed proprietors and coal owners within the diocese, and requested the Commissioners to take their part in making due provision for the spiritual wants of that dense population, which in various parts of their estates they are gathering together, and by whose labour their wealth is increased. Having stated what many proprietors were already doing, the Bishop added,—

"The parties who are thus conscientiously fulfilling their own obligations not unnaturally inquire why they should be asked to aid in providing the ministrations of the church, and the means of Christian education, for those who are in the employ of a corporation drawing an annual income from the diocese of 50,000*l.* a year, but who seem to repudiate such obligations. This feeling is widely spread throughout the diocese, and seriously imperils the success of the efforts I am making to remedy the vast amount of spiritual destitution shown to exist in this diocese."

He begged, therefore, to ask the board whether they were prepared, in their character as landed proprietors and coal owners, to take their part as others in the like condition are doing, in relieving the spiritual destitution existing among those who are labouring to augment the fund entrusted to their management.

As an additional motive for their taking some step in this direction, the Bishop mentioned how very unjustly the existing regulation of making no grants without a benefaction offered, must press on a diocese which contributes 50,000*l.* a year to the common fund: the whole area of the diocese represented by this 50,000*l.* a year is to that amount a blank, as regards its power of offering a benefaction, if the Ecclesiastical Commissioners will give nothing as landlords; and thus the operation of the existing rule, if the board persevere in their practice of ignoring local claims, must be to consign to hopeless spiritual destitution, as far as any efforts of the Ecclesiastical Commissioners are concerned, those masses of the population by whose toil their coffers are enriched."

In illustration of the amount of spiritual destitution in the diocese of Durham, the Bishop added the following facts:—

"1. The average population to each benefice in England and Wales, exclusive of the diocese of London, is 1,398; the average population to each benefice in the diocese of Durham, is 2,780. 2. The average number of acres to each benefice in England and Wales, is 3,277; ditto, to each in diocese of Durham, is 7,566. 3. The increase in the population of the county of Durham, between the years 1841 and 1851, was 27 per cent., the corresponding increase in Lancashire, 22 per cent; ditto, in Middlesex only, 20 per cent. 4. In five of the most populous quarters of the diocese of Durham, including the towns of Newcastle, Gateshead, Sunderland, South Shields, and Tynemouth, there was, according to the census of 1851, a separate parish or district for every 9,000 persons. In five of the most populous quarters of the diocese of Manchester, including Manchester, Salford, Blackburn, Bolton, and Oldham, there was a separate parish or district for every 5,400 persons. 5. In the Report of the Committee of the House of Lords, appointed last year to inquire into the state of spiritual destitution in the Metropolis, and in the mining and manufacturing districts, the counties of Northumberland and Durham were stated to be worse provided with church accommodation than any counties in England."

In answer to this the Ecclesiastical Commissioners stated,—

"That with respect to their share of the chapter revenues, the Commissioners are not landed proprietors; that with regard to that portion which is derived from the episcopal estates, the Commissioners have not been in the same position as ordinary landlords; and that the 28,000*l.* from the Chapter, the 11,200*l.* charged on the episcopal revenues, the 4,500*l.* payable to the late Bishop Malthy, and the 8,000*l.* statutory income of the Bishop of the diocese, making a total of 51,700*l.* were all either primary charges, or appropriations under the provisions of Acts of Parliament.

"As regards the estates now vested in the Commissioners, the Board are, and have been, prepared to recognize the claims ordinarily admitted by trustee landlords; and by the recent transfer to the bishop of a permanent estate, sufficient to provide his statutory income of 8,000*l.* a year, the Commissioners have been enabled to deal with any local claims such as are defined by the Cathedral Acts, which attach to property now in their possession. The claims upon them as landlords cannot, under the existing law, be met either to the extent or in the manner contemplated by the memorial; but yet the Board were of opinion that it would be expedient to suspend further consideration of the memorial, and await the result of any legislation in the present session of Parliament."

## STATISTICAL CONGRESS.

*Copy of Report of the International Statistical Congress to the Secretary of State on Judicial Statistics.* (Lord Brougham and Vaux.) 2nd August, 1860. (368 L.)

THE International Statistical Congress held its fourth Session in London on the 21st July, 1860, presided over by His Royal Highness the Prince Consort. It was divided into six sections, viz., 1st, judicial statistics; 2nd, sanitary statistics; 3rd, industrial statistics, agricultural and mining; 4th, commercial statistics; 5th, census, military, and naval statistics; and 6th, statistical methods, &c. The first section was presided over by the Right Hon. Lord Brougham, and by the Vice-Presidents Right Hon. Joseph Napier and Vice-Chancellor Sir W. Page Wood, V.P.R., and the secretaries were Mr. Samuel Redgrave, Dr. Leone Levi, barrister-at-law, Royal Commissioners, and Mr. J. Hill Williams.

The programme of the first section was prepared by Dr. Leone Levi on judicial statistics, civil and criminal; and by Mr. J. Hill Williams on the statistics of the subdivision, transfers, and burthens of real property. The following are the programme and resolutions adopted by the Congress on both subjects:—

## JUDICIAL STATISTICS.—CIVIL AND CRIMINAL.

Two questions were reserved for further discussion by the Statistical Congress of Vienna with reference to judicial statistics. First, the preparation of forms for obtaining the statistics concerning the administration of civil justice in different countries; and second, the establishment of a comparative nomenclature with definitions of punishable acts, and their relative penalties in all European countries, with an exposition of the analogies and differences of legislation relating to the judicial institutions, and the details of their organization, and criminal procedure affecting criminal statistics, or forming a necessary element to the right understanding of the tables of the administration of criminal justice. This labour was confided to a commission consisting of representatives of different nations nominated by the Congress.\*

Much, we are persuaded, remains yet to be done with respect to civil and criminal judicial statistics. In this country, especially, such statistics are quite in their infancy. This may be said to be the first year in which the statistics of civil justice have been collected in England in any complete form, and as yet no attempt has been made to extend the same to Scotland and Ireland. Nor do we possess any statistics of judicial administration in our vast colonial empire. Notwithstanding the most conflicting accounts respecting the administration of justice in British India by native and European judges, but few facts are offered to us whereon to form a correct

\* 1st group. German Confederation,—M. le Professeur Dr. Herbst, of Lamberg.

2d " Switzerland,—M. le Secrétaire Ministériel, Dr. Beck.

3d " Italy, Spain, Portugal, and Danubian Principalities,—Mr. le Professeur Dr. Glaser, à Vienne.

4th " France, Belgium, the Netherlands, Great Britain,—MM. les Docteurs de Baumhauer and Asher.

5th " Prussia, Sweden, Norway, and Denmark,—M. le Conseiller d'Etat David.

6th " Turkey,—Daud Effendi.

7th " Greece,—M. l'Avocat Botli, à Athens.

judgment. We have scarcely any means of ascertaining the mode in which the British law operates in those colonies where it is enforced under the most exceptional circumstances, and far less any mode of eliciting facts concerning the application of the Roman-Dutch, the French, and the Spanish laws, which still prevail in other colonies.

That legislation in this and other countries has hitherto partaken of so much of an experimental character, that measures of legal reform, conceived and digested with the greatest care, have often proved abortive, and that abuses of a grievous nature in laws and procedure have been allowed to remain uncorrected till it was too late to reform or remedy, is certainly owing to the want of judicial statistics, or a tabulated record of the evils and disorders which manifest themselves in the body politic, of the cases which come under the cognizance of the courts of justice, and of the facts connected with civil and criminal procedure.

Modern legislation seldom asserts abstract ideas of right. Its province is corrective, and, that it may be effectual in its operation, we must know what we have to correct; in other words, we must substitute the inductive for the empiric system of legislation. In pursuing this course, we are greatly assisted by the law which seems to regulate human volition, as well as human action. Crimes, infractions of municipal law, breaches of engagements, non-performance of contracts, disputes concerning property or wills, &c., reproduce themselves in nearly the same number, and with the most constant regularity. The legislator is not left to draw his inferences from isolated facts, but from a long series of ever-recurring events, extending over a large space of time. Nor are such actions and volitions confined to any one country. Human aberrations, passions, cupidity, vices, are everywhere the same. The same wants and desires, and the same relations of parties, as landlord and tenant, buyer and seller, debtor and creditor, lead necessarily to the same altercations and disagreements, and the courts of justice of all countries are called upon to determine cases of an analogous nature. How many lessons should we be able to draw were such facts carefully recorded? What help would they render to the legislator and the moralist, in investigating the causes of social disorders, and the means by which they may be removed or remedied! Unfortunately, these lessons are now lost for want of being recorded, and because what is recorded is not understood or rendered available, in consequence of a different nomenclature of crimes and offences, of acts and procedure. Let it be remembered that statistics are but the materials by which the government of the state is constructed and perfected, and that the principal object of collecting and publishing facts, in a methodical and scientific manner, is to enable us the better to study the laws and institutions of which they are the results and exponents.

In the collection of facts connected with judicial or other branches of statistics, it is all-important to obtain a perfect unification of the facts numerically exhibited, and to form a proper appreciation of the circumstances which affect such facts; though a perfect unification of facts is often difficult, a fact being itself the result of complex circumstances. Supposing, for instance, we wish to inquire into the operation of the conflicting laws of France and England respecting the admissibility of oral evidence in commercial contracts, it would not be sufficient to compare the number of actions on contracts of sale in both countries, though such figures will be highly valuable as a clue to further inquiry; but we would have to eliminate

such actions, and ascertain the number which rested on the admission or rejection of parole evidence. But to particularize these facts indefinitely for statistical purposes, would be inconvenient and often impracticable. The province of statistics is to furnish landmarks for inquiry, and to stimulate us to deeper researches; and where the facts themselves do not furnish all the materials necessary to arrive at a satisfactory conclusion, we must avail ourselves of other data which may explain, account for, or illustrate the facts under consideration.

The first subject of inquiry in judicial statistics is the number, nature, and jurisdiction of the courts of justice, it being all-important to know whether the machinery in force for the administration of the law is adequate to the wants of the population. To ascertain this, we must be informed of the number of courts, and of the area, nature, and extent of their respective jurisdiction; the area, to show the convenience of access to the courts, the nature of their jurisdiction, to distinguish between civil and criminal, commercial and admiralty, and the extent of jurisdiction as to sum and punishment. But besides these facts, inherent in the courts themselves, sufficient data should be given with reference to the population, the character and the nature of the trade or other resources of the places where such courts sit. The simple fact that in one county or district there is but one court, and in another two, may be wholly deceptive, if we are not informed that the former, having one court, had an area of 1,000 square miles, a population of 100,000, and a trade of 1,000,000*l.*; whilst the latter, having two courts, had an area of 5,000 square miles, a population of 500,000, and a trading of 5,000,000*l.* The more complete the information, the more instructive and valuable the facts will become. The judicial statistics of Sardinia exhibit at a glance the area and population, the amount of taxes on income and property, the number and amount of inscriptions in the registry of mortgages, the number and value of judicial sales, the number of notarial acts, number of bankruptcies, number of imprisonments for debt, number of judges and officers, number of causes introduced and settled, duration of suits, &c. But the number of courts is wanting, as given in the French judicial statistics. A uniform rule as to the data necessary to illustrate the provisions made for the administration of justice is scarcely desirable. In shipping ports, the extent of trade and shipping will determine the number of courts necessary; and in agricultural districts, the extent of business or concourse at a market-place. We should obtain in all cases such data as will best exhibit the actual condition of each district, and if the same cannot be furnished in a tabular form, the information may be given in the form of a note at the head of the return.

From the statistics of courts of justice, we pass to statistics relating to judges and other legal officers. These should show the number of judges attached to each tribunal, in relation to the number and nature of cases brought before it. In the absence of such statistics we find that whilst the efficiency of some tribunals is sometimes impeded for want of a sufficient number of judges, other tribunals are presided over by too large a number of judges as compared with the business before them. We require to know the effect of any changes in the administration of the law, in lightening or increasing the labours of the judges; and also the time given by them to the discharge of their public duties in courts or in chambers. The amount of salaries allowed to the judges and other officers is also very important to be recorded, for the purpose of comparing the amount of remuneration

with the extent and responsibility of their duties. A liberal provision for the administration of justice is the strongest guarantee that the state can afford for the most scrupulous integrity and the most complete absence of venality in courts of justice. With the statistics of the judicial organization the statistics of juries would be a great desideratum, in order to ascertain the number of jurors on the books, and the proper distribution of such onerous duties among all persons qualified to serve.

The statistics of the labours of the courts of justice are intended to illustrate three distinct branches of inquiry. First, the general administration and efficiency of each court; second, the parties by whom, or against whom, justice is invoked; and third, the nature of the causes brought before the courts. We must first obtain the statistics of what the courts of justice annually perform; and this is shown by the number of actions brought, number of proceedings stayed at different stages, number of judgments, and number left undecided at the end of the year. The method of procedure in the different courts of justice may differ considerably. There may be no apparent analogy between the number of complaints entered in a County Court, the number of petitions filed in a Court of Bankruptcy, and the number of suits instituted in the Admiralty Courts. The subsequent proceedings in the different courts may also differ, yet we may test the working power of the courts, the popularity and usefulness of the different courts, and their respective ability to despatch business, by the number of cases brought before and annually disposed of by them. Where any court, like the Court of Chancery in England and Ireland, exercises, besides its judicial, any administrative functions, the statistics of its labours in these particulars should be given in a separate form. Besides the contentious jurisdiction, a considerable amount of business of a voluntary non-contentious nature is, moreover, brought before certain courts. For example, in England the Court of Probate grants probate of administration; the Court of Divorce receives applications for protection of property. A record of these, as well as of the number of judicial sales authorized by the courts, and other similar matters, will not only show the real amount of work gone through by such courts, but furnish materials of great value, illustrative of the state of society. The efficiency of the courts of justice will be tested by the number of judgments appealed from, number of judgments confirmed, and number reversed or altered.

The second class of facts connected with judicial proceedings is that which relates to the parties to the suits. We are interested to know how far the prosecution of crime is left with private individuals, or is intrusted to an officer appointed by the state. The nationality of plaintiffs and defendants may furnish important materials for consideration. Our manufacturers are at present endeavouring to obtain from foreign governments protection against the counterfeiting of their trade-marks; and the granting of such protection has been made dependent on the conclusion of treaties which shall secure a reciprocity of rights to the subjects of such states in our courts. But had our judicial statistics given the nationality of the plaintiffs in the suits respecting trade-marks which have been frequently brought before our courts, they would have shown that foreign manufacturers have brought suits against British subjects for counterfeiting their trade-marks, and that no hindrance was interposed on account of nationality to their obtaining due redress. In the same manner it would be important to elicit from the statistics of admiralty and maritime tribunals, whether the privileges of a

limitation of liability in cases of collision, granted by the shipping law, extend to natives and foreigners, or are confined to native subjects only. The distinction of suitors between individuals acting separately, and corporate bodies or partnerships, with limited or unlimited liability, the personnel of bankrupts and insolvents, such as the classes to which they belong, and the business they were engaged in, would be of considerable advantage. The statistics should also show the number of suits instituted by and against the state, and their results.

The third branch of inquiry is the subject-matter of the different causes which come before the courts of justice, by which we may not only see the nature of the jurisdiction of the different courts of justice, but obtain materials for legislative and moral reforms. In comparing the civil judicial statistics of different countries, with reference to the matter of the suits, we are met with the difficulty arising from the distinction made by the French and other Continental codes between civil and commercial cases, a distinction not recognized in this country. We have no special courts for the adjudication of commercial cases. The last vestiges of such distinction in the bankrupt law of England is about to be swept away by the application of of the law alike to traders and non-traders. It would be highly desirable to afford to merchants a code of laws furnishing a comprehensive manual of their rights and duties as merchants, but it is exceedingly difficult to distinguish between transactions purely mercantile and civil transactions. In the exercise of his avocation, the merchant makes contracts which, though mercantile in their objects and purpose, are civil in their bearing, and he would have but a small portion of the law on hand in a code which is limited to the most elementary regulations of a strictly mercantile nature. In fact, the code of commerce of France does not profess to contain the entire law applicable to merchants, and some of the most important branches of mercantile law are only to be found in the civil code. The law relating to sale of goods is summarily disposed of in one paragraph in the code of commerce, showing what evidence is sufficient to prove the existence of a contract. The law of partnership is laid down in both codes, the most important and general principles being provided for in the civil code, and the regulations of commercial partnerships, or *sociétés en nom collectif, en commandite* and *anonyme* in the commercial code. The law of agency is almost entirely in the civil code. With distinctions such as these, the civil and commercial judicial statistics of France and other Continental states differ materially from those of the United Kingdom, and no common system can be introduced till the judicial statistics of such countries are reduced under one category.

On the other hand, the natural classification of subjects adopted in the code of Napoleon is worthy of universal adoption, and we append a table of subjects, embracing the entire civil and commercial statistics. A clear and systematic analysis of civil and commercial cases, which come before the courts of justice, would furnish information of the greatest utility both for national and international purposes. From the statistics of cases of domicile and nationality, we should be led to notice the effects of the extension of intercourse, and the consequent expansion of social relations between subjects of different states. From the number of suits connected with marriages, we should be directed to the legislation of other countries in matters of divorce and judicial separation, cases which illustrate, in a most conclusive manner, the habits and morals of the nation. With the evidence we possess of a



more precocious development, if not of the physical, at least of the intellectual and moral, faculties of youth, it is important to know how far the emancipation of minors at an earlier age than the age of majority is resorted to in different countries, in order to temper the effects of the legal restrictions affecting persons under twenty-one years of age. The different regulations of partnership would afford a clue to many social questions of great interest as to the investment of capital. How long have we been in quest of a method by which the advantage of partnership relation might be obtained, without the boundless liability attending it by our legislation? Considerable difference still exists between the *commandite* partnerships on the continent of Europe and the limited liability system adopted in this country as regards public companies. Judicial statistics would show the number of such partnerships registered in different countries, the number of bankruptcies among them, and also the number of suits among partners. Equally important it is to learn, from the number and nature of patent cases brought before the courts, how far the law for the protection of the right of invention is sufficiently effectual, and whether it is resorted to with success.

Some difficulty may be experienced in obtaining the subject-matter of the suits. In this country suits on money counts, for money had and received, or for money paid, afford no indication of the real nature of the case. Many cases are, moreover, of a mixed nature. A will case will often turn upon the domicile of the testator. A transfer of real property may affect married females and bankruptcy. The winding up of Joint Stock Companies may open up disputes of great importance, widely differing from one another. Still it is possible to put together all such cases as clearly belong to certain great classes, such as marriage and divorce, bills of exchange, patents, copyright; and in all cases where the suitors object to specify the subject-matter of the suit, wherever they come to judgment, it is always open to the judge or master of the court to determine the class to which they belong.

Allied to the classification of the matters of suits, another important question is a well understood nomenclature of civil proceedings, or such an explanation of the terms used as will enable us to make a correct comparison of facts. The headings representing the different stages in a suit should correspond as far as possible in all countries. The importance of a common nomenclature of civil proceedings cannot be exaggerated. It is the difference in the terms used in the procedure of the courts in England and Scotland that produces the complete ignorance which exists in either country regarding the jurisprudence of the other. This is much to be regretted, because, notwithstanding the apparent diversities between the laws and jurisprudence of nations, there is much in common between them all. Diversity of language and phraseology has indeed disfigured the natural uniformity, and those great maxims of right and wrong, which are eternal in their origin and universal in their application, are buried in ignorance and confusion. But let it be once determined to remove these obstructions from the path of judicial investigation, and reject those visionary hindrances which contracted notions and absurd prejudices so unduly magnify, and we shall expand a thousandfold the horizon of legal knowledge, and provide for the most rapid advance in the development of judicial ethics. It will be a glorious day in the annals of legal science when the judicial acumen of Leibnitz, D'Aguesseau, Lord Mansfield, and Story ceases to be the

patrimonial estate of the nation only which gave them birth, and becomes the common property of all who are alike labouring towards the application of high principles of right to the manifold contingencies of social relations, requiring at once the most acute discernment to unravel, and the most elevated mind to balance and adjudge.

The requisites of a perfect system of criminal statistics have already been laid down by the Congress at its former sessions in Brussels, Paris, and Vienna. Such statistics commence with the commission of crimes, and should first show the number of crimes and offences committed, and the number of apprehensions, in order to direct the attention of the legislature to the means of repression, and to the efficiency of the police in the pursuit of crime. We should have the number of persons apprehended and brought before the justices of the peace, distinguishing sex and age; number discharged and summarily punished; number committed for trial, and number convicted and acquitted, with particulars of place of birth and domicile; their condition, whether married or single; whether legitimate or illegitimate, and if under 16, having parents or not; their profession and degree of instruction; the causes known or presumed of the crime, and nature and duration of the punishment; all particulars relative to the sex, age, condition, and education of criminals being also placed in relation to the crimes and offences committed. Prison statistics should exhibit the extent of prison accommodation, number of prisoners admitted, number disposed of, and number remaining in prison; the age, sex, and birthplace of the persons committed; their education and previous occupation, as well as the number of times the prisoners have been previously convicted, whether of the same crime or of other crimes. It is all important to know the dietary used in different prisons, the state of health of prisoners, and the number and kind of punishments given in prison, and also the means used for the reformation of the prisoners, by instruction and lectures, by teaching trades, or other industrial occupations, and by religious teaching. The work performed by the prisoners, and the value of the same, should also be given, together with the expense of the prison, and the average charge per prisoner in the year. And most important it is to preserve a record of the numbers of prisoners released before the expiration of their sentence, under licence or otherwise, in relation to the crimes which they had previously committed, and the amount of punishment they had already undergone. These facts, together with the statistics of coroners' inquests, statistics of suicides, and statistics of reformatory schools and other institutions for the reformation of children, would complete the criminal statistics.

The questions left for the consideration of this Congress in connection with criminal statistics, are the formation of a correct classification of crimes and the establishment of a common nomenclature. For the classification of crime, little help can be obtained from the existing judicial statistics of different countries, and the labour must be commenced anew. In some countries no classification whatever has been attempted, and in others the classification is quite unphilosophical and erroneous. Commencing with the English classification, the old designation of crimes, as treason, felonies, and misdemeanor, is practically useless, inasmuch as treason is felony; and whilst the distinguishable characteristic of felony is the forfeiture of lands and goods, misdemeanors are often punishable as heavily as felonies. The French designations: *crimes*, *délits*, and *contraventions*; of *crimes*, for acts and omissions punishable by afflictive and infamous penalties, of *délits*, for

unlawful acts punishable by a corrective penalty, and of *contraventions*, for acts and omissions punishable by police law, is not more fortunate, inasmuch as it makes the penalty to be the test of the criminality of an act, instead of the criminality being a test for the penalty. What is it that determines the criminality of an act? The immorality or brutality of the act united to the amount of social danger. The estimation or the immorality or brutality of the act will depend upon the religion, morals, and civilization of the nation; the amount of social danger, upon the injurious nature of the act, and the frequency of its commission; and it is the combination of these circumstances that generally determines the amount of punishment. Montesquieu, in the "*Esprit des Lois*," recognises four classes of crimes, viz., against religion, morals, public peace, and the security of the subject. Beccaria, in his work "*Dei Delitti e delle Pene*," considered crimes against the security of the citizen more injurious than all other crimes; and he divided crimes in three classes, viz., those which tend to the destruction of society, or of those which rule it; those which attack the citizens, in their life, their property, and their honour; and those which are against the public good. Filangieri, in his "*Scienza della Legislazione*," divided crimes into ten classes: against the divinity, the sovereign, public order, public confidence, public law, the family, the life, or the person of the individual, the dignity of the citizen, his home and private property. The Sardinian code has partly followed this classification.

Criminal statistics might be classified either according to the criminality of certain acts, or according to their frequency. But neither of these will furnish the basis of an international system. The criminality of an act will differ in each country according to its ideas of morality and justice. Dugelling, which in the United Kingdom would be classified amongst the highest offences, in other countries may stand among the lightest. And the frequency of certain crimes will differ, according to the moral, physical, and even political, circumstances of the different countries. It will be better, therefore, to take something universally recognized as a common standard of criminality, and we can do no better than classify crimes and offences according as they are committed against the state, against the person, and against public order. Offences against the state to include treason against the sovereign and the government, evasion of state authority, insurrection and rebellion, offences against the currency, aiding smugglers, &c. Offences against the person to include offences against the person, in his person, and in his property; and offences against public order and peace, to include rescue of prisoners, compounding offences, &c.

To establish a common nomenclature of crimes for all countries is extremely difficult, if not impossible, with the different systems of criminal legislation now in force. The meaning attached to certain words differ materially in different countries, and a vast variety of crimes which are provided for in some, are wholly unknown in other countries. For example, "murder" in this country is the killing of another with malice aforethought, but "*meutre*" in France is voluntary homicide. In fact, our "murder" corresponds to the French "*assassinat*." The technical meaning attached to the word "burglary" or "house-breaking" is unknown in the French code; and the generic word "*vol*" would ill apply to any of the specific offences in our code. Even the qualifying circumstances of "*vol*," provided for in the French code, differ materially with those provided for by the German codes. Moreover, the crimes specified in the French and other modern codes, gene-

rally embrace large categories of crimes; whilst in the British code each crime is subject to a different penalty, the distinction being often most capricious and almost unaccountable. The first step towards a perfect system of comparative criminal statistics is the arrangement of the various crimes and offences under certain categories, classes, or families. And for this end we think it best to furnish a table indicating the nature of the crimes, with their meaning, according to the criminal code of England, and the penalties attached to them.

A most important element in the reform of criminal jurisprudence is the statistics of the motives or apparent causes of crimes. An imperfect attempt at such distinction is made in the English criminal tables, by distinguishing malicious offences against property, but it is not carried out in the case of other crimes; and, moreover, malice and hatred are not the only motives to crime. What are our moral reformers constantly urgently on public attention? The evil of inordinate cupidity—love of money—love of gain. Let us test by actual facts the force of these most solemn admonitions. French criminal statistics distinguish the motives of crimes into cupidity, adultery, hatred, vengeance, domestic dissensions, opposed love, jealousy, debauchery, concubinage, and other motives; but we should endeavour to illustrate also by statistical facts the effects of drunkenness, of want, of organic disease, and of prostitution, upon the commission of crime. The statistics of crime and of criminals are never intended to gratify an idle curiosity, but to furnish most valuable lessons and warnings; and no effort should be spared in the collection of such statistics to evolve from them the most valuable suggestions for moral and legislative reform.

Much is said with respect to the difficulty of collecting such statistics, especially in countries like England, where the State seeks to obtain the necessary information by voluntary co-operation, rather than by compulsory means. But we should not allow the indolence, caprice, or ignorance of public officers to stand in the way of substantive reforms. The collection of the facts here hinted at, and which may be recommended by the International Statistical Congress, may be difficult. Some expenditure may also be required in the various departments, to provide for the proper record of such facts; but no sum could be more advantageously expended than in laying the foundation for sound, social, and moral reforms. For every 1,000*l.* expended in statistical inquiries of such a nature, hundreds of thousands may eventually be saved; and we cannot sufficiently estimate the value of any instrument which may lead to the diminution of crime, the abatement of vice, the improvement of morals, and the better administration of justice. It is all-important that means be taken by the various governments to give effect to the resolutions of the Congress in this important particular; and as the chief object of such Congresses is to render the statistics of all countries available as a storehouse of information for all nations, each Government should take steps, not only to improve its own statistics, and to draw from them all the lessons they may afford, but to establish a permanent commission, whose duty it should be to study the statistics of all nations, and to elicit from them all the facts which have a bearing on national legislation.

#### PROPOSITIONS TO BE SUBMITTED TO THE CONGRESS.

The following propositions, containing some of the requisites of judicial statistics already assented to by the Statistical Congresses already held, and

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other items and suggestions founded on the facts and considerations offered in this programme, are now submitted to the present Congress:—

1. That the systematic collection and publication of facts relating to the operation of the law and the administration of justice, viz., a complete system of judicial statistics, will afford most valuable materials whereby to institute wise and permanent legal reforms, and furnish information of great importance illustrative of the social and moral wants of the people.

2. That such judicial statistics should relate to courts of justice, civil, commercial, and criminal proceedings, juries, crimes, and criminals, including coroners' inquests and suicides, prisons, and other punishments, and reformatories.

3. That the statistics relating to the organization of the courts of justice should exhibit the number of courts, with the area, nature, and limit of their jurisdiction, number of judges, and other officers, with their salaries and fees, number of days and hours such judges sat, with such other information, relating to population, taxation, trading, shipping, &c., as may best show the relation of the means afforded for the due administration of justice to the character of different districts and the wants of the people.

4. That the statistics of juries should show the number and description of jurors in the book, number called during the year for one or more times, number of days and hours the jurors were employed, number of trials by jury in civil in criminal cases, distinguishing special juries; number of trials in which the juries were unanimous in their verdicts, and number of trials in which the juries were discharged for want of unanimity, or in which they have given their verdicts by a majority only, and number of cases in which the verdicts of juries were set aside.

5. That the statistics of the labours of the courts of justice should exhibit the number of writs of summons, actions, suits, and other proceeding commenced; number of causes entered for trial, number of trials defended and undefended, number of judgments and executions, number referred to arbitration, number of remanets, number of causes withdrawn and struck out, the duration of suits, the subject-matter of suits, the nationality of plaintiffs and defendants, the taxed costs of suits, number of judgments appealed from, number of judgments confirmed, and number of judgments reversed or altered.

6. That the subject-matter of suits should be classified into—1. Matters of an international character. 2. Personal status. 3. Rights acquired in property by contract. 4. Involuntary transfer of property. 5. Wrongs and their remedies.

7. That matters of an international character should include questions of domicile, nationality, prize cases, &c.

8. That matters relating to personal status should include marriage, divorce, minority, legitimacy, &c.

9. That matters relating to rights acquired in property by contract should include agency, partnership, sale, insurance, patents, copyright, &c.

10. That matters relating to involuntary transfers of property should include bankruptcy, insolvency, judgments, &c.

11. That matters relating to wrongs and their remedies should include trespass, distress, personal injury, malicious prosecutions, &c.

12. That a uniform classification, and a comparable nomenclature of crimes and offences, and of punishments, are a great desideratum in criminal

law, and that with a view to that object it is desirable to consult the different laws of nations, and to ascertain how far the different crimes and offences have their equivalents in all countries.

13. That all crimes and offences be divided into—Crimes against the State; crimes against the person,—in his person; in his property; crimes against public order and peace.

14. That crimes against the State should comprise treason, rebellion, counterfeiting current coins, forging the great seal of State or privy seal, publishing any seditious libel, &c.

15. That crimes against the person in respect of his person should include murder, and all acts inflicting personal injury, rape, bigamy, and crimes against the honour or character of the person.

16. That crimes against the person in respect of his property should include destruction of property, robberies, forgeries, personation with an intent to defraud, &c.

17. That crimes against public order and peace should include all breaches of the peace, rescue of prisoners, selling indecent or obscene writing, offences against byelaws, municipal acts, &c.

18. That the criminal statistics should exhibit the number of crimes and offences recorded to have been committed; number of persons apprehended and brought before the justices of the peace, distinguishing sex and age; number discharged and summarily punished; number of persons who remained in prison awaiting trial, specifying the number who have been in prison one week, two weeks, or more; number committed for trial, number convicted and acquitted, with the birthplace and domicile, age, condition, whether married or single, trade or occupation, and degree of instruction in relation to the number of criminals, and to the number of crimes and offences committed; and, in the case of persons under sixteen, distinguishing whether they had parents living or not, and whether legitimate or illegitimate; and in case of recommittals, how many times they have been committed, the crimes they have committed, number of persons recommitted for the same offence, the punishments they had undergone; the number of appeals, and number of judgments confirmed, and number of judgments reversed or altered.

19. That it is expedient to ascertain, as far as possible, the motives of crimes, distinguishing the crimes and offences committed according as they are dictated by cupidity, hatred, vengeance, domestic dissension, or as they are produced by or immediately allied to drunkenness, want, prostitution, organic diseases, or other known or presumable causes.

20. That the statistics of punishments should exhibit the number and kinds of punishments and fines awarded by the judges, number and kind of punishments inflicted, number of commutations, number of acts of sovereign grace, number of punishments reduced, number and amount of fines received, number of bails, and number and amount of recognizances entered into.

21. That the prison statistics should show the extent of prison accommodation, number of prisoners entered and disposed of, according to their sex, age, place of birth, trade or occupation, crime and punishment, the number of recommittals in the respective prisons; the dietary used, the state of health, viz., the rate of mortality, and cases of insanity; the amount of work, performed; the means used for the reformation of prisoners, by instruction, by lectures, by teaching of trade and other industrial occupa-

tion, and the cost of prisons; and number released previous to the expiration of their sentences, by licence or otherwise, in relation to the crimes they had committed, and the amount of punishment they had undergone.

22. That the statistics of inquests or other proceedings in cases of sudden deaths should comprise the number of inquests in each month of the year, distinguishing cases of murder, accidental death, suicides, deaths from excessive drinking, from want, cold, or exposure, and number found dead, with the ages and sex of the parties who were the subjects of the inquests; and in cases of suicides distinguishing number of attempts to commit suicide, number of suicides in each month of the year, the number by drowning, poisoning, hanging, and other means, the ages and sex of the parties, and the known or presumed causes of or circumstances attending the suicides.

23. That the statistics of reformatory schools should show the number and capacity of schools; number of children committed, distinguishing sex, age, the crimes or offences of which they had been convicted; the amount of punishment they had already undergone; number of recommitments; degree of instruction on admission and discharge, and the kind of trade or other industrial occupation taught.

24. That having regard to the practical utility of judicial statistics, and to the universal bearings of the social and moral lessons which they are intended to afford, it is highly desirable that the annual reports on judicial statistics should comprise a careful comparison of the facts exhibited in the judicial statistics of different countries.

25. That having regard to the intimate relation which exists between the judicial statistics and the civil and criminal laws and codes, the congress would express the hope that the British Government will appoint a Commission to inquire into and to report on the principal points of difference in the laws of different states, in as far as they affect civil and criminal statistics.

#### RESOLUTIONS ADOPTED WITH REFERENCE TO JUDICIAL STATISTICS.

1. That the systematic collection and publication of facts relating to the operation of the law and the administration of justice, viz., a complete system of judicial statistics, would afford most valuable materials whereby to institute wise and permanent legal reforms, and would furnish information of great importance illustrative of the social and moral wants of the people.

2. That judicial statistics should relate to the organization and procedure of all courts of justice and other legal tribunals, whether civil, commercial, ecclesiastical, military, naval, criminal, or of whatever nature, and also to inquests, police, crimes and criminals, punishments, prisons, and reformatories, and the results of legal proceedings.

3. That the statistics relating to the organization of courts of justice, as well general as local, should exhibit the number of the courts, with their geographical area; the nature and extent of their jurisdiction; the number, requisite qualification, mode of appointment, and tenure of office of the judges, jurors, if any, and the officers of the court; the mode and extent of their remuneration, including the retiring allowances, if any; the fees levied; the costs allowed; number of days and hours such courts, judges, jurors, and officers sat or were employed; with such other information relating to population, taxation, trading, shipping, &c., as may best show

the relation of the means afforded for the due administration of justice to the character of the different districts and the wants of the people.

4. That the statistics of juries should show the number and description of jurors in the book; the number called during the year for one or more times; the number of days and hours the jurors were employed, the number of trials by jury in civil and criminal cases, distinguishing special juries; the remuneration of juries; the number of jurors who compose the jury; the cases where trial by jury is obligatory, the cases where it is optional, and the cases where, being optional, the parties prefer being tried by the judge; the number of trials by jury in which the jurors were unanimous, or have given their verdicts by a mere majority, or by some larger proportion; the number of juries discharged, and on what grounds; the number of verdicts set aside, and on what grounds.

5. That the statistics relating to the procedure of courts of justice in their civil jurisdiction should exhibit the number of actions, suits, or other proceedings commenced; the number of causes entered for trial; the number tried, distinguishing the defended from the undefended; the number referred to arbitration, the number struck out or withdrawn, or settled previous to or at the trial, or terminated otherwise than by judgments; the number and nature of judgments, decrees, or orders; the number of remanets; the number of new trials, and why granted; the number and effect of executions, whether against the person or the property; the number and nature of interlocutory orders and steps; the duration of suits; the subject-matter of suits; the amounts in litigation; the amount recovered; the court fees; the taxed costs; the number and result of appeals or proceedings in error; and the nationality of plaintiffs and defendants.

6. That a uniform classification and a comparative nomenclature of the subject-matter of suits instituted in the civil courts of the several states, and of the procedure of these courts, would be productive of great advantage in facilitating the comparison of the civil jurisprudence of the different civilized nations; and that to effect these objects it is desirable to ascertain how far the subject-matters of suits, and the procedure of the courts in one country have their equivalents in other countries; and next, to compare the judicial statistics of different countries, and to ascertain therefrom in what manner the subject-matters of suits and the procedure of the courts may be most scientifically and usefully tabulated and returned.

7. That a uniform classification and a comparative nomenclature of the crimes and offences, and of the punishments recognized by the several states, would be productive of great advantage in facilitating the comparison of the penal jurisprudence of the different nations; and that to effect these objects it is desirable to consult the criminal law of the different countries, and to ascertain how far the crimes and offences, and the punishments, recognized in one country, have their equivalents in other countries.

8. That crimes and offences be divided in some such mode as the following: viz., crimes and offences against—The state; religion; public morality; public order and peace; the person in his person—in his property; property; international law.

9. That the statistics of courts of justice in their criminal jurisdiction should exhibit the number and nature of crimes and offences reported to the police as having been committed; the number of persons apprehended and brought before the magistrates, distinguishing sex and age, and the nature



of the crime or offence charged; the number discharged; the number summarily punished, and the nature of the punishments; the number detained for trial, with the periods for which they were respectively imprisoned before trial; the number tried without the previous intervention of the magistrate, and on what grounds; the number bailed or let out on recognizance; the number convicted first on confession, and next on evidence; the number acquitted; the nature of the sentences, and for what offences; the number recommitted, and how many times, and for what offences, and after what punishments; the number admitted to give evidence for the prosecution; the number and result of appeals; the number of reversals of sentences, and on what grounds; the number of pardons; the number of commutations of punishments; the cost of prosecutions, and whence paid; the number of witnesses; and the number of allowances granted to them and to the prosecutors.

10. That with respect to persons committed, the statistics should exhibit their birthplace and domicile, age, sex, religion, education, trade or occupation, and condition, viz., whether married or single, and whether they have families; and that with respect to convicts under sixteen years of age, the statistics should exhibit whether they are orphans, deserted by their parents, or legitimate.

11. That it is expedient to record as far as possible the proximate cause of the crimes and offences found to have been committed, and the motives and incentives thereto; whether they are the produce of ignorance or disaffection, cupidity, hatred, revenge, domestic dissension, intoxication (of the offender or of the injured party), indigence, prostitution, bodily disease, or unsoundness of mind, or whether they spring from any other known or presumable source.

12. That it is desirable that with the statistics of crimes and criminals, information be given of the relation of crimes to the population of different districts, the number of houses for the sale of intoxicating drinks, the number of brothels, the number of houses of receivers of stolen goods, and of other bad characters.

13. That the prison statistics should exhibit the number of prisons, distinguishing those where persons are detained from those where convicts are subject to punishment; the system, discipline, and accommodation in each prison; the number of prisoners entered and disposed of according to their sex, age, and place of birth, trade or occupation, crime and punishment; the number of recommitments in the respective prisons; the dietary, the state of health, viz., the rate of mortality, the number of cases of suicide and insanity, the amount and value of work performed by, and the means used for the reformation of prisoners, by instruction, by lectures, by teaching of trade, and other industrial occupations, and the results; the cost of the prisons; the number of prison offences, and how punished; the escapes, and attempts to escape; the number released previous to the expiration of sentence, by licence or otherwise, in relation to the crimes they had committed and the amount of punishment they had undergone.

14. That the statistics of criminals should show the number of lunatics who were found such upon apprehension, before trial, at, and after, trial; the number of such who are committed to special prisons or otherwise; the time during which they were detained therein; the number discharged, and the conditions under which they were discharged; the cases of crimes committed by lunatics who have been discharged.

15. That the statistics of inquests or other proceedings in cases of sudden deaths should comprise the number of inquests in each month of the year distinguishing cases of murder, accidental death, suicides, deaths from excessive drinking, from want, cold, or exposure, and the number found dead, with the ages and sex of the parties who were the subjects of the inquests; and, in cases of suicides, distinguishing the number of attempts to commit suicide, the number of suicides in each month of the year, the number by drowning, poisoning, hanging, and other means, the ages and sex of the parties, and the known or presumed cause of, or circumstances attending, the suicides.

16. That the statistics of reformatory institutions and schools should show the number and capacity of such institutions and schools; number of children received, distinguishing their sex and age, and the crimes, offences, or circumstances under which they were detained; the amount of punishment they have already undergone; the number of recommitments; the degree of instruction on admission and discharge; and the kind of trade or other industrial occupation taught.

17. That having regard to the practical utility of judicial statistics, and to the universal bearings of the social and moral lessons which they are intended to afford, it is highly desirable that the periodical reports on judicial statistics should comprise a careful comparison of the facts exhibited in the judicial statistics of the different countries.

18. That referring to the foregoing resolutions, it is considered by this section as the most expedient course for each nation to make its judicial statistics as perfect as possible, according to its own system of rights, wrongs, and remedies; of crimes and offences, penal inflictions, and reformatory treatment; leaving to every statistician the task of comparing the statistics of one nation with another, or with all others, for the purpose of enabling himself to draw conclusions therefrom.

19. That in the opinion of this section the collection and distribution, under the auspices of the Congress, of statistical tables framed on this principle, will, in the course of years, tend to bring the statistics of all nations into harmony, whereby such comparison will be greatly facilitated.

20. That it is desirable that the British Government should appoint a commission to examine and collate the different systems for collecting judicial statistics which prevail in this and foreign countries, and to report upon the following matters, viz.:—1. What is the best method of recording judicial proceedings, with the view of supplying statistical information on legal subjects? 2. What is the best method of tabulating such information? 3. What additional staff of officers, if any, will it be necessary to appoint, in order to ensure the preparation of comprehensive, scientific, and accurate returns?

21. That regretting the absence of some of the distinguished gentlemen who have in previous Congresses rendered valuable assistance in the preparation of the programme, and in the discussion of judicial statistics, this section deem it very important to procure, if possible, for future Congresses, the attendance at each section of an official or other delegate from each country.

22. The section would recommend to this "Statistical Commission," that the report of this and other sections, including the programme, resolutions of the Congress, and the proceedings of the section, be published in a

separate form, and transmitted to the public bodies and official or other persons in different countries immediately interested in the subjects.

It was also resolved :—

That the thanks of the section be given to Mr. Leone Levi for the very valuable and interesting programme which he has drawn up for the instruction and guidance of the section, and the elaborate propositions submitted for the deliberation and decision of the section.

That it be specially recommended to the Congress that the elaborate report presented to the section by Dr. Baumhauer, "*Aperçu comparatif des Législations Pénales de la Belgique, de la France, des Pays Bas, et de la Saxe Royale,*" be printed in the report of the proceedings of the Congress.

#### STATISTICS OF THE SUBDIVISIONS, TRANSFERS, AND BURTHENS OF REAL PROPERTY.

The important subject of the subdivisions of real property, the transfer of land, and the charges affecting it, has engaged the attention of political economists and legislators for a long period, and, as was naturally to be expected, much discussion has taken place upon it at previous sessions of the International Statistical Congress, first at Brussels, but more particularly at Vienna.

At the meeting at Brussels the Congress passed various resolutions in favour of the registration of landed property, of which the following is the substance :—That it is desirable that each country should have its cadastre (general survey and valuation) established upon a uniform and scientific system : That the survey and field map (*plan parcellaire*) should be for the rural districts on the ordinary scale of  $\frac{1}{25,000}$  of the actual lineal measurement upon the ground, with certain modifications, and on the scale of  $\frac{1}{30,000}$  for towns, and where the parcels of land are very small : That the general map should be accompanied by an index or book of reference, showing the name of the proprietor, the state of cultivation, and the area of each close or parcel of land : That the annual rent and capital value of land should be ascertained and registered annually for each commune or sub-district, and proportionally for each individual field or parcel : That the preservation and continuation of the survey and valuation should record annually all alterations or subdivisions of the boundaries of parcels, to be shown by means of supplemental maps ; and all changes of cultivation, ownership, and value.

The report concluded with the following comprehensive and important recommendation :—

That the cadastre shall register the fact of possession in the first instance, with a view to establish the title ultimately, in connection with certain laws of limitation (*prescription*), and that therefore no transfer or alteration shall be recorded unless proved by legal or authentic documents.

Many valuable and interesting notices connected with this subject will be found in the report of the Vienna Congress (1857). The Congress acknowledged it to be of the highest importance to the political economist and to the statesman that they should be presented periodically, upon some uniform and simple system, with what may be called a balance-sheet of the landed property of each nation ; and it was universally admitted that this could only be accomplished by means of land and mortgage registers founded on accurate public maps. The great want was felt to be a registry of all the *facts*

connected with real property; and until statistical research, with the assistance of the several governments, shall have accurately established the actual state of landed property and its financial condition, we can scarcely commence even the study of this most vital question, "the basis of the economic life of the people,"—"The first element of public prosperity and of the power of nations."\*

The final resolution of the Vienna Congress† in connection with this matter, which may be considered as the reference to the present session, was as follows:—"That the several Governments be invited to name a person in each state to collect the facts relative to the subdivisions, transfers, and burthens of real property, and to submit the result to the next congress."

So far as England is concerned, it is much to be regretted that the Government has not had it in its power to respond effectually to this invitation. Being as yet provided neither with a general map of the whole country on a sufficient scale, accompanied with the indispensable book of reference, nor with general land registers or mortgage registers, there appear to be no channels open to the satistician for the collection of facts, and consequently England is not in a position, at present, to supply the Congress with its contribution to the materials necessary for a general scheme of statistical inquiries applicable to this question.‡

There is strong reason to hope that several of the official delegates from countries possessing the requisite facilities for the purpose, by means of existing institutions, will bring to this Congress valuable contributions to the statistics of real property in Europe; and the additional light which will thus be thrown on the subject by their practical experience cannot fail to convince the public mind in England that the registration of real property, of its subdivisions, transfers, and burthens, is an important and desirable object, and to prove that the thing is feasible by showing that it has been done.

The objects of the registration of real property must be considered highly important, whether we regard them from a national or international point of view. Considered from the first point, they may be briefly stated to be:—(a) To increase the security of titles and the value of landed property by facilitating, expediting, and cheapening its transfers: (b) To encourage the improvement of land by the greater security which registration would give to capitalists, either individuals or public companies, advancing money on mortgage of landed estates.

In accordance with the usages of the Congress, it may be advisable to submit to its consideration certain general propositions, which will be no doubt modified and improved by discussion, but which in their general bearing appear calculated to bring about, naturally and by degrees, the fulfilment of the hopes expressed at previous meetings of the congress, that the statistics of real property by means of the registration of land may be ultimately ascertained. The following would seem to be *desiderata* worthy of attention, viz.:—1. That the establishment of a general land register in every state is highly expedient. 2. That such land register should be based upon a general survey and map on a sufficient scale, to be constructed under the authority of Government, and that the map should be, without exception, and as an indispensable part of it, accompanied by an index or

\* Baron Czoernig—Vienna Report, p. 107.

† Vienna Report, p. 427—French Edition.

‡ Vienna Report, p. 430.

book of reference, giving for each parcel or close of land—(a) The number of the parcel referring to the map:—(b) The name, address, and description of the owner:—(c) The name of the occupier:—(d) The local name or description of the parcel:—(e) The state of cultivation:—(f) The area or contents:—(g) The date of observation. 3. That during its progress the national survey and map should be kept up as closely as possible to the time of publication of its several parts, and that administrative arrangements should be made for revision of the map and book of reference at fixed periods, so that the map may always, as nearly as possible, represent the actual state of the land. 4. That every charge and every interest affecting the land, whether in possession or reversion, should be admitted to registration, so that an intending purchaser may ascertain from the land register all the interests by which his possession might be affected. 5. That the legislature should compel the insertion on the register of all transfers of ownership of real property as they occur; and the insertion within a limited term—to protect the right of infants, for example—of all outstanding charges on real property not accompanied by actual enjoyment.

RESOLUTIONS ADOPTED WITH REFERENCE TO THE SUBDIVISIONS, TRANSFERS,  
AND BURDENS OF REAL PROPERTY.

1. That in pursuance of the recommendations already made by the Congress at Brussels and Vienna, and for the purpose of obtaining the required judicial statistics relative to the dealings with land, it is desirable that every state should possess an accurate general map of its land on an approved scale, accompanied with a book of reference.

2. That during the progress of the national survey and map it should be kept up as closely as possible to the time of publication of its several parts, and that administrative arrangements should be made for revision of the map and book of reference at fixed periods, so that the map may always, as nearly as possible, represent the actual state of the land.

3. That reference being had to the importance of ascertaining the cheapest, safest, and shortest method of transferring real property, it is desirable to obtain, as far as possible, international statistics in respect of the transfer of land in different countries, and of the laws affecting the same; that is, of the annual or other periodical number of transfers; of the extent of the divisions and subdivisions of land; of the modes of transfer; of the cost of transfer, and its relative amount as compared with the value of the estate transferred; of the legal effect of transfer on the title; of the number and nature of subordinate interests in land; and of the existence and nature of public maps and registers.

4. That it is expedient that the Congress should defer any expression of opinion as to the mode and extent of registration until it has collected the international statistics named in the third resolution.

The special thanks of the section were passed to the Right Hon. Lord Brougham, Dr. Asher and the other foreign vice-presidents, and the Right Hon. Joseph Napier.

The thanks of the section were also voted to Mr. J. Hill Williams, for his paper on "The Statistics of the Subdivisions, Transfers, and Burdens of Real Property," on which the business of the day was founded.

## FACTS TO BE OBSERVED.

*Population, Amount of Income and Property Tax, Amount of Imports and Exports on Shipping.*

1. Name and designation of Court.
2. Area and Amount of Jurisdiction.
3. Number of Judges and other Officers.
4. Amount of Salaries and Fees.
5. Number of Days and Hours the Court sat, and Judges sat in Chambers.
6. Number of Actions, Suits, and other Proceedings commenced.
7. Number of Causes entered for trial.
8. Number of Trials defended.
9. Number of Trials undefended.
  - a. " " by Juries, distinguishing Special Juries.
  - b. " " without Juries.
10. Number of Judgments.
11. Number of Executions.
12. Number of Remanets by consent, Injunction or Decree, and for want of time.
13. Number of Causes withdrawn.
14. Number of Causes struck out.
15. Duration of Suit. Number of Causes disposed of, which had been on the Roll less than 3 months.
 

<ol style="list-style-type: none"> <li>a. 3 months and less than 6 months.</li> <li>b. 6 " " 9 "</li> <li>c. 9 " " 12 "</li> </ol>	<ol style="list-style-type: none"> <li>d. 12 months and less than 18 months.</li> <li>e. 18 " " 24 "</li> <li>f. 24 months and upwards.</li> </ol>
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16. Amount recovered. Number of Causes where the Amount recovered was 20*l*. and under.
 

<ol style="list-style-type: none"> <li>a. £50 and above £20</li> <li>b. 100 " 50</li> <li>c. 200 " 100</li> <li>d. 300 " 200</li> </ol>	<ol style="list-style-type: none"> <li>e. £500 and above £300</li> <li>f. 1,000 " 500</li> <li>g. 2,000 " 1,000</li> </ol>
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17. Subject-matter of the Suits.
18. Nationality of Plaintiffs and Defendants.
19. Number of Suits by British Subjects against British Subjects;
  - a. " " Foreign " " Foreign "
  - b. " " British " " Foreign "
 distinguishing Nationality, and in relation to the Matter of Suits.
20. Number of Suits by the State against the Subject, and by the Subject against the State.
21. Number of Causes appealed from.
22. Number of Judgments confirmed.
23. Number of Judgments reversed or altered.

NOTE.—It is of the utmost importance that the Statistical Tables prepared by the officers of all the Courts should be drawn up on a perfectly uniform plan, and in as perspicuous a manner as possible. Where details are given, the grand totals should be printed in a larger and more distinct type. For statistical purposes, it is preferable to give all comparable facts in horizontal rather than in vertical columns.

## CLASSIFICATION OF CIVIL AND COMMERCIAL SUITS.

1. *Questions of an International Character*

1. Domicile. Nationality, including questions of Wills, when they depend on the domicile of the testator; questions relating to Aliens, and to property belonging to Aliens; and prize cases depending on the nationality of the owner of the ship and cargo.

2. *Personal Status.*

2. Breaches of Promise of Marriages.
3. Divorce and Judicial Separation.
4. Minority, Paternity, and Orders of Bastardy, including questions of Contracts, and Bills of Exchange, in which Minors are concerned.

3. *Rights acquired in Property by Contracts.*

5. Wills, Donations, and other cases relating to transfer of Property.
6. Agency, Hire, and Service, Brokers and Factors, Commission Agents.
7. Landlord and Tenant.
8. Contract of Partnership, including disputes among Partners, Dissolutions of Partnerships, and other cases in which a firm is either Plaintiff or Defendant.
9. Contract of Joint Stock Companies, including all questions relating to the issue of Shares, liability of Shareholders, and Winding-up of Companies.
10. Contract of Sale of Goods, Warranty, Proof of Sale, and including questions of Stoppage in transitu, Lien, &c., Sale and Transfer of Land, including questions of Titles.

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11. Contract of Marine Fire and Life Insurance, including all questions relating to the Policy, Representation, Warranty, Perils of the Sea, Abandonment, &c.

12. Contract of Shipping and Charter-party:—Affreightment and Bill of Lading, including all questions of Freight; Average, including all questions of Particular and General Average.

13. Cases of Collisions, Salvage Bottomry.

4. *Involuntary Transfer of Property.*

14. Bankruptcy.

15. Insolvency.

16. Judgments and Executions.

5. *Wrongs and their Remedies.*

17. Trespass relative to Land, Houses, &c.

18. Distress, Ejectment.

19. Patents, Piracy of.

20. Copyright, Breaches of.

21. Personal Injury, Libel, and Slander.

22. Malicious Prosecutions.

23. False Imprisonment.

24. Suits against Sheriff.

25. Revenue Cases.

PROCESS AND PRACTICE OF PLEADING.

*Third Report of the Commissioners appointed to inquire into the Process, Practice, and System of Pleading in the Superior Courts of Westminster.*

The Commission was issued on the 13th of May, 1850, and it consisted of—Sir John Jervis, Knight, Attorney-General,\* Samuel Martin, Esq., one of our counsel learned in the Law,† William Henry Walton, Esq., Barrister-at-Law, and one of the Masters of our Court of Exchequer, George William Bramwell, Esq., Barrister-at-Law,‡ and James Shaw Wille, Esq., Barrister-at-Law,§ who were appointed to make a diligent and full inquiry into and to report upon the process, practice, and system of pleading in the Superior Courts of Common Law at Westminster, the manner of conducting suits and other proceedings in such courts and on the circuits, and the costs, charges, and expenses incident thereto; the practice at the judges' chambers; and the duties of the several officers, clerks, and other persons of and connected with such courts, circuits, and judges' chambers, their salaries, fees, and emoluments.¶

In 1860 the Commissioners reported as follows:—In the year 1850, your Majesty was pleased to direct us and our late lamented colleague, Sir John Jervis, to inquire into and report upon the Process, Practice, and System of Pleading in the Superior Courts of Common Law at Westminster. At that time much dissatisfaction prevailed amongst the practitioners and suitors. It was complained, and with justice, that the proceedings in actions, though undefended, of which the great majority of cases consists, were unnecessarily tedious and costly. It was also a subject of deep and just dissatisfaction that the time of the courts was frequently occupied, and expense and delay occasioned, by frivolous arguments and discussions upon points merely of technical form

\* Late Lord Chief Justice of the Court of Common Pleas.

† Now Sir Samuel Martin, Knight, one of the Barons of the Court of Exchequer.

‡ Now Sir George William Bramwell, Knight, one of the Barons of the Court of Exchequer.

§ Now Sir James Shaw Wille, Knight, one of the Justices of the Court of Common Pleas.

¶ Upon the promotion of Sir John Jarvis to the Chief Justiceship of the Common Pleas, Sir Alexander James Edmund Cockburn, Baronet, then her Majesty's Attorney-General, now Lord Chief Justice of the Court of Queen's Bench, was added to the Commission by a Warrant under her Majesty's Royal Sign Manual, dated the eight Day of August.

altogether irrelevant to the merits. Justice was frequently defeated in trials at *Nisi Prius*, in consequence of variances between the pleadings and the evidence; or of objections to the stamps upon documents; or from want of authority to adjourn the trial when an unforeseen difficulty arose; or from other circumstances which occasionally, after very great trouble and expense had been incurred, rendered the trial wholly fruitless, and left the real question in controversy between the parties undecided. To these and other causes of complaint we have referred in our former reports.

Our first report was presented in the year 1851. We discussed therein all the ordinary proceedings in an action, and made suggestions for their improvement by abolishing all unnecessary steps, by removing the possibility of a defeat of justice by mere technical objections, and by putting an end to the fictions which, as in outlawry and ejection, had incumbered the law. We further recommended the payment of the officers of the superior courts by salaries instead of fees, and the abolition, or at least revision, of the various charges upon the suitors in respect of the proceedings in those courts. In consequence of that report the Common Law Procedure Act of 1852 and the *Nisi Prius* Officers' Act (15 and 16 Vict. c. 73.) were enacted, and these Acts were followed by two sets of rules made by the judges in Hilary Term, 1853.

In our second report (1853) we proceeded to deal with the following important subjects:—Trial by jury, the instances in which it might be dispensed with, and the mode in which the constitution of juries might be improved; the trial at *Nisi Prius* and its incidents, and the improvements necessary in that part of our procedure for perfecting the administration of justice; the law of evidence, and the further alterations required to complete the course of improvement which modern legislation has introduced into this branch of the law; the expediency of an appellate jurisdiction in cases of new trial, and of special cases stated by consent of parties. These, together with several other subjects of minor importance, fully considered and discussed in our report, related to the existing procedure of the common law courts in actions at law. In a second branch of our second report we considered the necessity of enlarging and expanding the procedure of these courts, so as not only to invest them with powers previously exercised by courts of equity alone, by way of assistance to the courts of common law in the progress of an action, called auxiliary equity, but also to enable them to exercise the powers of courts of equity for the protection of legal, as distinguished from equitable rights, and for the enforcing of legal obligations. We strongly urged that these powers should be conferred on the courts of common law, on the ground that every court ought to possess within itself the means of administering complete justice within the scope of its jurisdiction; and that the courts of common law, to be able satisfactorily to administer justice, ought to possess in all matters within their jurisdiction the power to give all the redress necessary to protect and vindicate common law rights, and to prevent wrongs, whether existing, or likely to happen unless prevented. This report was followed by the Common Law Procedure Act 1854. By this Act the legislature gave effect, in substance, to all our recommendations contained in that report relating to the existing procedure in an action at law, with the exception of our recommendation as to the constitution of juries; this subject being reserved, as it was understood, for consideration at a future period, when the law relating to this matter was to be generally revised.



Effect also was given to our recommendations as to conferring on the courts of common law the powers previously exercised by the courts of equity alone, as auxiliary to the courts of law. But the legislature abstained from enlarging the powers of the latter courts, so as to enable them to protect common law rights from threatened invasion, or to enforce the specific performance of common law obligations. The experience of the several years which have elapsed since the new system of procedure, with such great and varied improvements, has been in operation, enables us to express a confident opinion as to its working. We have delayed making this report in order to have the advantage of this experience before we submitted to your Majesty our final views on the important subjects upon which your Majesty was pleased to command our services.

As regards the amendments and alterations in the procedure in actions at law, we are happy to be able to report, that they have rendered the procedure simple, economical, and speedy, and have had the effect of limiting the costs to the expenses of the necessary and essential steps in a cause. The extent of the reform effected will be exemplified by the fact that in nine months of the years 1852-3 (the first during which the new system was partially introduced), as compared with the same period in the preceding year, by the abolition of proceedings of a formal character, all involving considerable expense, reported by us to be unnecessary, and thereupon abrogated, the rules granted by the three courts were during that time reduced in number from 38,009 to 3,081, and this notwithstanding an increase in the number of writs issued. The technicalities which brought so much discredit on our jurisprudence have now disappeared, and the courts, owing to the improved system of pleading and procedure, and the large additional power of amendment, are occupied in adjudicating upon the substantial merits of the cases in litigation, while, from the operation of the same causes, it very rarely occurs in trials at *Nisi Prius* that the real question in controversy is not decided by the jury. Nevertheless, there are still a few suggestions which we think it necessary to make as to this branch of the subject, partly as to matters omitted in our former reports, partly as to improvements which the practical working of the existing system has shown to be desirable.

First, as to the joinder of parties to actions. It not unfrequently happens that the right to sue arises in such a manner that it is doubtful in whom it is vested. In such cases, great hardship and difficulty are imposed upon the suitor by the rule, which requires that an action shall be brought in the name only of the person in whom the right is legally vested. The effect of that rule is, that a mistake as to the proper person to sue involves an expensive defeat, by a judgment whereby the right is pronounced to exist, but to be vested in a person not a party to the action, but who may in fact be a trustee for or otherwise in the same interest with the plaintiff, and who would have consented, had the law allowed it, to be joined as a party. The existing rule, however theoretically correct, is unnecessary in practice, as is proved by the exception in the case of ejectment; whilst in the other cases to which we have referred it has a mischievous effect. It is not likely that parties will be joined as plaintiffs who have no interest in the matter; and we think that plaintiffs may safely be intrusted with the right to bring their actions in the name of all the persons in whom the legal right may be supposed to exist, leaving it to the court to give judgment in favour of the persons or person who may be found to be entitled.

With a discretion as to costs, and the provision as to set-off recommended in our first report, this suggestion can work nothing but good, and we recommend its adoption.

The action of Replevin was one of the subjects left for our consideration; but we have been in part anticipated by the provisions of the 19th and 20th Victoria, chapter 108, sections 63 to 68, upon which we have no improvement to suggest. A doubt has been suggested whether that statute is not confined to replevin of goods distrained for rent or damage feasant. To prevent any question, it ought, by enactment, to be extended to all cases of replevin. Besides this, there is an alteration in the procedure of replevin which would be especially beneficial in the case of distress for damage feasant. At present a tender, after impounding, of the rent or damage is too late; and it is said that the distrainee's only course is to replevy, to let the jury find the rent or damage, and then to pay it. This is obviously most objectionable, as it involves the expense of trial at the cost of the distrainee, if the distrainer is obstinate or malicious, to ascertain a sum, the amount of which may not be doubtful, or which and much more the distrainee would pay rather than be at the expense of a trial. The remedy for this is to permit a plaintiff, in answer to an avowry, to pay money into court in satisfaction of the matter avowed for, and we recommend that this should be allowed. It would be necessary to alter the bonds of each party accordingly. If the distrainee paid in enough, and the action went on, then his case should be like that of a defendant now in ordinary actions, and the case of the defendant, like that of the plaintiff in such an action, with similar results, *mutatis mutandis*, if too little, was paid in.

The actions of Dower, writ of right of Dower and *quare impedit*, are at present commenced by writ issued out of chancery. This causes delay and expense, besides giving rise to needless questions of form. They are the only actions so commenced, and there is no reason why the proceedings therein should differ in this respect from those in other actions. We think they ought to be commenced by writ issuing out of the Court of Common Pleas, that being the court which at present has alone jurisdiction in this action between subject and subject, in the same manner as a writ of summons in an ordinary action; that all process therein should be tested either in or out of term, and returnable after execution; and that the proceedings therein should be assimilated, as nearly as may be, to those in personal actions.

In actions on bonds the defendant ought, in our opinion, to be allowed to pay money into court; and also in detinue by leave of the court or judge.

An amendment has been suggested by our experience of the working of the Common Law Procedure Act, 1854, in relation to the attachment of debts. It is, that the judge should have a discretion to refuse to interfere in cases where the costs of the proceedings will, in his opinion, bear so large a proportion to the amount to be recovered as to make the remedy practically worthless or vexatious. There is a further provision which it is desirable to add to this part of the law. It occasionally happens that the garnishee appears, admits the debt, is willing to pay it, but has a *bona fide* doubt whether the execution debtor is really entitled to it, and whether some other person is not. Now it is obvious that garnishees ought not to be compelled to pay without being protected against that other person, and that the latter ought not to have his rights decided on without an opportunity of being heard on them. To prevent these inconveniences the

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proper remedy is that the garnishee, on being served with the order should be at liberty to take out a summons, in the nature of an interpleader summons, calling on any person to whom he suggests the debt is really due to appear. Proceedings might then take place as on interpleader summonses, and the creditor or person called on be barred according to the result. Doubts also exist as to whether a judge can exercise a discretionary power in cases where the garnishee appears and admits the debt in point of law, and where the judgment debtor has in strictness a legal right to maintain an action against the garnishee, but, under the circumstances, it would, in the opinion of the judge, be inequitable for him to do so. For instance, where the garnishee has a cross claim against the judgment debtor for an amount exceeding the judgment debtor's claim, but which is not yet due. In such case it may well be that the judgment debtor himself would not think of enforcing payment of the debt due to him from the garnishee, whilst his assignees in bankruptcy or insolvency could not do so. To meet such cases the judge should have power to make such order as shall, in his opinion, effect complete justice between all the parties.

With respect to the subject of costs, it appears to us that the two objects to be attained are, that the right to costs should be clearly defined, and that the amount to be awarded should be uniform in all the courts. The statutes which give to the parties a right to costs are in a very confused and unsatisfactory state. Not only have the separate enactments of the older statutes given rise to a variety of decisions, but subsequent statutes have in some instances modified, and in others partially repealed, former enactments, so that it is extremely difficult to ascertain what the real state of the law is on this subject. We are of opinion that these statutes should be revised and consolidated. All that we think it necessary to say upon this branch of the subject is, that the leading principles which now regulate the right to costs should be retained. The party succeeding in the suit should have the general costs of the cause; the party succeeding on issues, either of law or fact, although he be not entitled to the general costs of the cause, should have the costs of those issues, or of those parts of the cause on which he succeeds; and the restraints now imposed on frivolous actions, by depriving the party of costs, should be preserved, and better defined than they are at present. Under this head we think that it ought to be enacted, that whenever a plaintiff in any action recovers less than 5*l*. damages it should be in the discretion of the judge to allow or disallow his costs. The amount to be awarded for costs is now settled by the masters of the courts on taxation, subject to revision by the court or a judge. The allowance is regulated by the usage and practice of the courts, excepting where the scale of costs has been fixed by rule of court or statute. These scales have recently been revised by the judges, and there is no arrear in the masters' offices, where we believe the business is satisfactorily conducted.

We think it right to avail ourselves of this opportunity to invite renewed attention to our former observations respecting the constitution of juries. More especially we would urge the consideration of that part of our recommendations which relates to securing the attendance on common juries of the class of persons who now serve exclusively on special juries, with a view to the improvement of the former by the admixture of persons of higher education and intelligence. We are strongly persuaded that a very great improvement would by this means be effected in the constitution of juries; and as we do not propose to do away with the right of parties to

resort to a special jury, or to deprive special jurors, when serving as such, of the additional remuneration which they are in the habit of receiving, we can see no ground why the liability of such persons to serve on common juries, which already exists in law, though it is not required in practice, should not be enforced.

We proceed to the second part of the subject, namely, the powers hitherto exercised by courts of equity alone, which we have proposed should be conferred upon courts of common law. The experience of the five years which have elapsed since the passing of the Act of 1854 has strongly confirmed the views which we sought to enforce in our last report; and we cannot but regret the partial manner in which our recommendations were carried into effect by the legislature. Upon this subject, in addition to what we formerly urged, we beg to submit for consideration the following observations:— Besides the exclusive jurisdiction which the Court of Chancery has from time to time acquired over subjects which either never were within the scope of the common law, or have ceased to be so from desuetude or express enactment, that court has also exercised in various instances powers over subjects within the jurisdiction of the common law courts, either in aid of those courts, as by discovery, or by way of prevention of a threatened injury, as by injunction against a wrong or against an apprehended unjust litigation, or by way of specific performance, or by way of restraint of the proceedings of the common law courts, where the prosecution of actions, and even the execution of judgments, have been stayed by injunction, upon the ground that there was something in the proceedings contrary to the law administered in the Court of Chancery, technically called Equity. We desire to call attention to the points in which the two jurisdictions at present thus interfere, and are dependant one upon the other. With that part of the Chancery jurisdiction which deals with subjects not within the cognizance of the common law courts, it is no part of our duty to deal, because it does not interfere with the jurisdiction or procedure of the common law courts as at present constituted. It is with that part of the Chancery jurisdiction which undertakes to aid the proceedings of common law courts, or to furnish a better remedy, or to control and restrain their proceedings, that we are concerned, because, in our opinion, the relation of the courts to one another is, in respect of such jurisdiction, anomalous and absurd.

The auxiliary power of the Court of Chancery to compel discovery in aid of an action or defence in a common law court has already, by the Common Law Procedure Act of 1854, been conferred upon the courts of common law. No practical difficulty has been experienced in the exercise of this jurisdiction. In cases where discovery must previously have been sought in the Court of Chancery, it has, since the Act of 1854, been speedily obtained at Judges' Chambers at a comparatively trifling expense.

That part of the jurisdiction of the Court of Chancery which relates to protection against threatened and impending injury deals, to a great extent, with subjects which are within the general jurisdiction of the courts of common law. It is founded upon the principle of giving a more complete remedy by restraining the commission of injuries, in respect of which the courts of common law can only award damages. We proceed to consider this subject, with reference to the various remedies in their order.

First, as to the power of restraining, by injunction, threatened and impending injuries. Upon this subject we have already, in our second report, stated at large the opinion of the former Common Law Commissioners and our own. Suffice it now to say, that, for the reasons there stated, courts of common law ought equally to have power to protect legal rights from violation, and to give damages for actual injury. It often happens that both compensation in damages and protection are required in order to afford justice; and, in such cases, where immediate protection is necessary, no complete remedy can at present be obtained, except by resorting to the Court of Chancery. This arises from the circumstance that there is no provision for issuing an injunction from a common law court in case of threatened injury. It is necessary, as the law at present stands, to wait until a wrongful act has actually been commenced, so that an action for damages may be maintained, before application can be made for an injunction to a court of common law, whereas the danger of such an injury is enough to found the jurisdiction of the Court of Chancery. This seems unreasonable, when it is considered that the right threatened to be violated exists at the common law, and that, in case of actual injury, redress is given in a common law court and not in the Court of Chancery (unless it be incidentally under the Act 21 and 22 Vict. c. 27), and that after the wrong has actually commenced an injunction may be obtained in a common law court against its repetition or continuance, or the committal of an injury of a like kind; and yet that, in case of threatened and impending injury to a similar right, it is necessary to resort to the Court of Chancery. This defect in the jurisdiction of the common law courts, which is the more striking when it is considered that the Court of Chancery often declines to interfere until after the right has been established at law, ought, we think, at once to be remedied. The reasons for doing so are shortly as follows:—The rights, in respect of which the remedy proposed is to be given, are recognized in courts of common law, which are instituted for the purpose of protecting and vindicating them. The complete enjoyment of such rights can only be obtained through the means of injunction, by which the violation of them is prohibited and prevented. Damages in many cases afford but imperfect redress. In practice, the resort for protection by injunction to a court different from that in which the right, if in dispute, is and ordinarily must be tried and established, necessitates two suits instead of one. Lastly, to give the power to the common law courts in all cases of common law rights will be to restore an ancient jurisdiction in an improved and more efficient form. The procedure for this purpose may be at once simple and effective, namely, by application to the court or a judge for an injunction. If the case be such that the recovery of damages would be an inadequate or inconvenient remedy, the injunction may be ordered to issue forthwith *ex parte*, subject, of course, to an application by the opposite party to dissolve it. It should be in the discretion of the court or judge, whether the injunction should issue in the first instance, or whether only a rule or summons to show cause should be granted. Upon motion to quash the injunction, or on the hearing of the rule or summons to issue it, the court or judge ought to have power either to decide the matter summarily, or to direct an action, or issue, or a special case, and to impose such terms as to keeping an account or otherwise, and to make such order as to the costs of the proceedings, as may be just.

This power ought to be conferred in all cases of common law rights in which an injunction might be obtained in the Court of Chancery. In an action involving the question of injunction, brought or continued under the direction of the court or a judge, it should not be necessary to claim an injunction in the declaration, unless directed by the judge; and in such an action not so brought, the party injured ought to be at liberty, as at present, to claim an injunction, if he think proper. The provisions of the 82nd section of the Common Law Procedure Act of 1854 ought to be modified, so as to be applicable to the new writ.

The power of issuing injunctions by the common law courts is at present confined to actions in which some breach of contract or duty is complained of, and cannot be exercised for the protection of property the right to which is in litigation. It cannot, for instance, be exercised in the action of ejectment, even to prevent irreparable waste; nor in case of detinue, to prevent the defendant from making away with the goods, which may be specifically recovered. This defect in the jurisdiction should be supplied by extending the power of issuing injunctions so as to prevent injury to or the making away with property, in actions in which the title thereto is in dispute.

Another measure of protection at present afforded by the Court of Chancery consists in ordering the delivering up of documents, which, upon the face of them, appear sufficient to give the holder a right of action at common law, but which, by reason of circumstances which might be set up as a defence if an action were brought, ought not to be made available. In such a case, the danger that by lapse of time evidence of the defence may be lost, and so the instrument may be unjustly enforced, is considered as constituting a right in the party apparently charged by the instrument, unless disabled by some act of his own, to have it given up and cancelled, and so to have the claim set at rest. This power may well be given to the courts of common law in respect of common law claims and defences. And in cases in which only a part of the amount appearing to be due on the instrument is in fact due, an offer to pay such part, and a payment of the amount into court to abide such order as the court may make ought to be considered equivalent to actual payment before proceedings. This may be done either by action or by summary application to the court, as may be thought most advisable.

Under the same head of protection against anticipated injury may be classed the proceedings in interpleader, which we now proceed to consider. The principle of interpleader is this: That a person having, without any fault on his part, the possession of property in which he claims no interest, and which is claimed by two or more adverse parties whose alleged titles have a common origin, is entitled to be protected from the necessity of litigating the question of property in which he has no concern, upon giving up the subject-matter in dispute to be dealt with under the direction of the court, which then determines the question in a proceeding between the adverse claimants. Before the statute 1st & 2nd Will. 4. c. 58, the remedy existed in the common law courts in one form of proceeding only, namely, the action of detinue. One of the last instances, if not the last, in which it was resorted to was in the case of *Land v. Lord North*, 4th Douglas, 266. The statute referred to, however, gave jurisdiction to the common law courts, in cases of action brought by one of the claimants against the holder of the property. It also gave a new power to relieve sheriffs against the necessity of litigating adverse claims made to goods taken under an exe-

cution. In this latter case the Court of Chancery before the statute declined to exercise jurisdiction, for the alleged reason, that if the sheriff had made a wrongful seizure he ought not to be relieved; while, if he had made a rightful one, there was no occasion for interfering. And it may be doubted whether that court will assume jurisdiction since the statute (see *Tufton v. Harding*, 21 Dec. 1859, before Vice-Chancellor Kindersley). The jurisdiction conferred upon the common law courts in such cases has proved highly beneficial. In some particulars, however, it requires extension and amendment. With respect to both kinds of interpleader proceedings, difficulties have arisen where the claim is at present capable of being enforced in the Court of Chancery only, and is called equitable. In respect to such claims, courts of common law have at present no jurisdiction, and the consequence has been that great inconvenience has arisen in the execution of the Interpleader Act. To enable the courts to do complete justice in such cases, their jurisdiction ought to be extended to all claims, whether legal or equitable, where an action has been brought in respect of a common law claim within the former branch of the statute, or there has been a seizure in execution within the latter. In case of interpleader for relief of sheriffs, jurisdiction ought to be given to the common law courts, even though the claim or claims be all equitable. The proceedings upon such a claim may be in the same form as those in the case of a conditional defence upon equitable grounds, which will be mentioned in a subsequent part of this report. In interpleader, after action brought by one of the claimants, an amendment is also advisable. The course of decision upon the construction of this branch of the statute has usually followed that of the decisions in chancery, which, amongst other exceptions to this jurisdiction, appear to have established that relief will not be given when the titles of the claimants have not a common origin, but are adverse to and independent of one another. This exception, of which the alleged reason is not very obvious, has no place in interpleader proceedings for the relief of sheriffs; and we see no good reason for its existence in any case of interpleader in the common law courts. To take the common case of a wharfinger or warehouseman seeking relief against adverse claimants, the applicant has, generally speaking, no information as to the nature of their alleged titles, and yet it is clearly just, that, whatever that may be, he ought not to be at the expense and risk of determining who is in the right in a contest in which he has no interest whatsoever, except it be to hand over the property in dispute to the rightful owner. We recommend that interpleader should be allowed to all persons not falling within the class at present estopped from interpleading, whether the adverse claims have a common origin or not. Interpleader for the relief of sheriffs admits of further improvement. It often happens that where a sheriff has seized goods in execution, a claim is made to them under a bill of sale to secure an amount much less than the value of the goods, and the goods, if sold, would be sufficient to satisfy both the execution and the bill of sale creditor. In such cases great difficulty arises. The property of the goods is entirely out of the debtor and in the bill of sale creditor. The former has a right to the goods upon paying off the bill of sale, and that right ought to be available to the execution creditor. The bill of sale creditor has a right to the possession of the goods for the purpose only of satisfying his debt, and he ought not, provided his own debt is first satisfied, to be allowed to stand in the way of the execution creditor by objecting to a sale by the sheriff.

There are other similar cases in which the claimant is entitled to the goods only to secure a debt. The judge ought to have power in all cases where the right of the claimant is only by way of security for a debt, to direct a sale, and the application of the proceeds, in case of a surplus, to satisfy the execution, upon such terms as to payment of the secured debt or not, and otherwise, as the judge may think fit.

The jurisdiction in interpleader cases ought also to be extended in the following particular. It occasionally happens that the execution creditor and the claimant agree to leave the matter to the decision of the judge before whom the summons is heard, without requiring an issue. When points of law only are involved, this course saves expense and delay. Even where questions of fact are involved, now that the parties and their witnesses can be summoned and examined before the judge, it not unfrequently happens that the judge, by consent, disposes of the case. Sometimes, however, even in cases of small amount, one of the parties insists upon the trial of an issue at a greater expense to both parties than the amount in dispute. In cases of this kind, it is obviously for the advantage of all that the judge should have the power of deciding summarily and so preventing needless expense. We think this power should be given to the judge, to be exercised if he thinks proper. We would further recommend that in all cases where the question is one of law, the facts not being disputed, the judge should be at liberty to decide the question without an issue, and, if necessary, to direct a special case for the opinion of the court.

We pass on to the remedy of specific performance for enforcing the actual fulfilment of contracts, the breach of which cannot be compensated by mere damages. On this subject we have already, in our second report, page 42, expressed our opinion that it ought to be added to the powers of the common law courts, at least in all cases in which a breach of the contract can now be redressed in those courts by an action for damages; and we pointed out the form of proceeding in which such remedy could be administered. We will not repeat what we then stated to be our opinion upon this subject, but we think it right to say that that opinion remains unaltered.

We next proceed to consider the interference of the Court of Chancery, upon equitable grounds, with the proceedings in common law courts, as a subject to which particular attention ought to be directed. Notwithstanding recent legislation, the law is still imperfect in not admitting by way of defence to a common law action, matter which is now ground only for application to the Court of Chancery to restrain the proceedings by injunction. In all actions at common law, whatever is ground for a perpetual injunction ought to be and is received as a defence, where the relief in chancery would be unconditional; and in cases where such relief in the Court of Chancery would be conditional the courts of common law ought to have power to give, in a summary way, the same relief against actions pending therein. The first part of this recommendation has obtained the force of law by the 83rd and following sections of the Common Law Procedure Act of 1854, but subject to a condition, namely, "provided that such a plea shall begin with the words, *for defence on equitable grounds*, or words to the like effect." Considerable difference of opinion exists amongst us as to the propriety of requiring that a plea should be thus headed, but as we are not agreed upon this matter, we do not think it expedient to enter further upon it. The second part of the recommendation now under reconsideration has not been acted upon, and the consequence has been, that in many cases pleas founded



upon matter which would, in the Court of Chancery, be ground for conditional relief, have necessarily been rejected by the common law courts, although they involved no difficulty which could not have been readily overcome by their ordinary procedure. The consequence is, that in such cases the defendant must either resort to the Court of Chancery or submit to the judgment of the court of law, though he is ready and willing to perform the conditions upon which, according to the rule of the Court of Chancery he ought to be relieved from the effect of such judgment.

Difficulties have been apprehended in raising such defences, because of the rigidity of the existing forms of pleading and judgment in the courts of common law, and from its having been supposed that no appeal could be made to lie against a decision founded upon a summary application. In truth, however, no such difficulty exists. An instance of a conditional equitable defence given effect to by the proceedings in a common law court, is presented by the proceedings in an action upon a mortgage to stay the action, and for a reconveyance upon payment of the debt and costs. The power of giving relief upon summary application by rule or summons may be coupled with a right to the unsuccessful party to appeal, by leave of the court, within a limited time upon giving security. The appeal might be in the form of a special case stating the facts necessary to raise the question, as in appeals upon new trial motions, under the Common Law Procedure Act of 1854. This power of appeal, coupled with a discretionary power to direct issues or inquiries, and as to costs of the action and application, will enable the common law courts in the great majority of cases to dispose of such defences finally; whilst in cases in which any unforeseen difficulty may arise, though we do not anticipate any, a provision similar to the 86th section of the Common Law Procedure Act of 1854 will enable the court or judge to "reject the defence, in case it cannot be dealt with by a court of law so as to do justice between the parties, upon such terms as to costs and otherwise as to such court or judge may seem reasonable." In these cases the summons or rule would be in the nature of a bill for relief; if a form of procedure analogous to a plea is preferred, there is no reason why it should not be adopted. In that case the judgment must be altered, and be made the same as the combined effect of a common law judgment and a decree on a bill for relief from it. On such a judgment error or appeal may lie as on other judgments.

The action of ejectment is not included in our recommendations under this head, because the course of legislation on the subject of land has tended to maintain and strengthen the distinction between legal and equitable estates, and we cannot hope, under the form of an improvement in procedure, to change the system thus sanctioned.

There is, however, in addition to the case mentioned in our second report of an outstanding trust term, a class of cases in which we think the courts of common law might with advantage be authorized to receive defences, at present available only by proceedings in Chancery; we mean cases of relief against forfeitures. It often happens that contracts provide for a pecuniary penalty of large amount, in case of non-payment of a smaller sum, or non-performance of one or more stipulated acts, the omission of which occasions damage of less amount than the penalty. In such cases, at the common law, it was formerly competent for the stipulating party, in case of breach of the contract, to demand and recover the whole amount of the penalty, without regard to the actual amount of damage sustained. In the Court of

Chancery, however, unless it appeared that the amount represented the agreed damages for a breach of contract, technically called "liquidated damages," the sum stipulated to be paid was considered merely a security for the actual damages sustained, and where these admitted of calculation, that court relieved against the penalty upon compensation being made for such damage. This jurisdiction has been given to courts of common law, and the conflict between the two courts put an end to, by the statutes 4th Ann. c. 16. s. 11., and 8th & 9 W. III. c. 11. s. 8. No more than the actual damage sustained can now be recovered, and the interference of the Court of Chancery is no longer necessary. Upon the same footing stands the jurisdiction of the Court of Chancery to relieve against forfeiture of leases for non-payment of rent, and, in certain cases since the statute of 22nd and 23rd Victoria, c. 35., against breaches of covenants to insure. This jurisdiction has in the case of non-payment of rent been partially conferred upon courts of common law by statutes 4th Geo. II. c. 28. ss. 2, 3, 4, and the Common Law Procedure Act, 1852, ss. 210, 211, 212. We think that the jurisdiction of the courts of common law should be extended in this direction, and that in every case of ejectment brought for a forfeiture these courts should have, upon rule or summons, power to relieve in all cases in which relief can now be obtained by bill in chancery. The legislation upon this subject will thus be rendered consistent. Another enactment is, however, necessary to give full effect to the reception of such defences by courts of common law. It is that a defendant shall not be permitted to proceed in the Court of Chancery for relief which he may obtain by plea or otherwise in the court in which the action is pending; unless after such defence has been rejected by the court of common law expressly upon the ground that "it cannot be dealt with there so as to do justice between the parties." The course of decision upon this subject may be traced in the cases of *Prothero v. Phelps*, before the Lords Justices, 22nd December 1855; *Wild v. Hillas*, before Vice-Chancellor Kindersley, 3rd December 1858; *Kingsford v. Swinford*, before the same judge, 31st January 1859; and *Gompertz v. Pooley*, before the same judge, 9th February 1859. These cases seem to establish that in the present state of the law it is competent for a defendant, after allowing the action to proceed to its termination without availing himself of such a defence, to file a bill in chancery founded upon the same matter, and after a second investigation of the case, to nullify the judgment. This may be prevented without introducing any novelty in principle, simply by requiring the defendant, upon the first opportunity, to put forward all that he intends to rely upon in answer to the action.

The alleged jurisdiction of the Court of Chancery to entertain bills, technically called bills for a new trial, to restrain execution upon a verdict and judgment, after the time for moving for a new trial in the common law courts has elapsed, ought also to be abolished, as tending to revive and continue a litigation already brought to a close in a court of competent jurisdiction. Courts of law have abundant authority to deal with cases of fraud upon the court and abuse of their proceedings. In other cases it is considered that the time allowed to prepare for trial, and to move for a new trial gives the defeated litigant as much opportunity to bring forward the matter upon which he relies, as is consistent with a speedy and efficient administration of justice. The protraction of litigation to a length bearing a large proportion to the ordinary period of life is all but equivalent to a denial of redress, and it operates with almost equal disadvantage to both

the litigants. The cases in which such a jurisdiction may be applicable were always rare, and they have become more unlikely than ever to occur since the parties to a suit may be examined for or against themselves. Bills for a new trial have, for the reasons stated, fallen into disrepute and desuetude; but as the jurisdiction is stated to exist and is an anomaly in our jurisprudence, we think it ought to be abolished by express enactment. We have thus recommended that many powers exercised by the Court of Chancery should be given to the common law courts, and in doing so we have selected those only which seem to us likely to be exercised there with advantage. It has not been our object to extend, for the mere sake of extending, the field in which the courts have common jurisdiction, by giving to the common law courts powers which may be exercised with equal benefit in the Court of Chancery, but simply to prevent the necessity for a resort by either party to both courts for the purpose of obtaining complete justice where the Court of Chancery at present, in the case of common law rights, gives, on the one hand, aid by way of discovery, or a more complete remedy, as by injunction and specific performance, or, on the other hand, restrains the proceedings in common law courts because of the existence of an equitable defence. Indeed, it is obvious, that our recommendations, instead of having a tendency to extend the common field of jurisdiction, suggests a contrary and more effectual mode of putting an end to the contest between courts of common law and chancery by so distributing their jurisdiction as to render their interference with one another impossible. It is our intention and wish, that the result of what is proposed should be ingrafted upon and become part of the common law, and that the distinction between common law and chancery law should be so far abolished. If, in addition to this, the Court of Chancery is prohibited from interfering in cases where common law rights are thus rendered capable of complete vindication in the courts of common law, and in which, therefore, its interference will have become useless, the greater part, if not the whole, of the field of conflict will be done away with by confining the operation of the courts respectively to subject-matters peculiar to each. Thoroughly to effect this it is necessary to confer upon common law courts power to give, in respect of rights there recognized, all the protection and redress which at present can be obtained in any jurisdiction, and it is upon this principle that we have acted in our suggestions. If they be carried into effect there will no longer be the spectacle of jurisdictions imperfect in themselves and clashing with one another, but each court will be armed in itself with exclusive jurisdiction over the subject-matter within its cognizance, and with full power to give all the protection and redress which the law at present affords by means of a plurality of suits. The conflict of jurisdiction will be done away with, because the occasion for it will no longer exist. We have only to add, that we have given our best attention to the question whether it is necessary to adopt the procedure of the Court of Chancery in cases where it is proposed to borrow from its remedies; and we have arrived at the conclusion, strengthened by an experience of the working of the Common Law Procedure Act of 1854, that the desired object can be attained as effectually, and with less expense, by means of the ordinary proceedings of the common law courts.

The report was signed by Sir A. E. Cockburn, Sir Samuel Martin, Sir Jas. S. Willes, Sir G. Bramwell, and W. H. Walton, Esq.

## JAPAN.

*Correspondence with Her Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.*

ON the 27th August, 1859, the Earl of Malmesbury received a despatch from Mr. Alcock, dated June 16th, reporting his arrival at Nagasaki, and the steps taken for the establishment of the British consulate there. He found fifteen square rigged vessels in the harbour—men-of-war and merchantmen—under British, Dutch, American, and Russian flags, and some fifteen British subjects resident on shore, and actively engaged in trade, most of it transacted by means of contracts with the Government or its officers. Fifteen thousand tons of shipping appear to have found profitable employment there within the last six months. All trade was carried on under the provisions of the Dutch Treaties, and Additional Acts of the 30th January, 1856, and 16th October, 1857, or the Russian of the 12th October, 1857, signed by Admiral Poutiatine, opening the ports of Nagasaki and Hakodadi to trade under certain restrictions and prohibitions; and as, in conformity with these, any advantages or privileges they conferred had been secured to British subjects by the favoured-nation clause of Admiral Stirling's Treaty, signed on the 14th October, 1855, Mr. Alcock conceived the Queen's Order in Council was not directed against those conforming to such treaties and violating no established law or usage, and therefore felt under no necessity of ignoring the existing trade and mercantile community.

Having ascertained that the trade under Dutch, British, and other flags indiscriminately had thus been carried on with the direct sanction and official cognizance of the Governor of Nagasaki, who had in many instances facilitated the merchants acquiring houses and places of business, Mr. Alcock entered into immediate communication with his excellency, and was, two days after his arrival, officially received at his residence. A similar visit of ceremony was returned on board Her Majesty's ship *Sampson* a few days later. Since then he had a long conference with him on several matters of pressing importance in regard to the near opening of the port under British and American treaty regulations, the substance of which in a précis he transmitted to him the next day.

On the 27th September, the Earl of Malmesbury received further information from Mr. Alcock with details of the difficulties he met with respecting the site for foreigners at Kanagawa. Mr. Alcock sent also information on the issue of a new silver currency and consequent depreciation of the dollar. Mr. Alcock said, "while provision is made that all foreign coin shall pass current in Japan, and for corresponding weights in Japanese coin of the same description, gold for gold, and silver for silver, it is also stipulated that for the period of one year after the opening of the ports (in order to give time to the Japanese to learn the value of foreign coins) 'the Japanese Government will furnish British subjects with Japanese coin in exchange for theirs, equal weights being given, and no discount taken for recoinage,' while Japanese coins of all descriptions, except copper, may be exported.

"The Japanese Government, in view of these stipulations, have issued a new silver coinage of large silver pieces, which they call half-itzebous, and two of which are equal to a dollar in weight. Previous to this, and when the treaty was made, the silver currency consisted of itzebous, half-itzebous,

and quarter-itzebous; three itzebous were equal in weight to a dollar, and the rest in proportion. The immediate effect of this sudden change is obviously to diminish the purchasing power of the dollar two-thirds; for notwithstanding the letter of the treaty appears to be observed, the altered denomination of the larger coin to a 'half-itzebou' makes it worth no more than the original small coin of the same name, six of which went to the dollar. This is to raise the price of all Japanese produce on the foreigner 200 per cent.; and if, as the Government assert, this sudden alteration in the currency is to take effect throughout the empire among the native population, either they must be prepared to call in this small silver currency at a loss of 200 per cent., issuing the large coin at their own cost in exchange for that in circulation, or inflict such a sacrifice upon every native as is scarcely conceivable, even in the most absolute Government, apart from the monetary derangement and confusion that must inevitably ensue.

"It seems more probable that this measure has really reference only to dealings with foreigners, and that the Japanese Government possess such absolute control as to be able to compel all their subjects who receive this new coin from foreigners to return it to the treasury, and take back the original small half-itzebou; in which case the government would put into its treasury the 200 per cent. lost by the foreigner in the depreciated value of his weight of silver.

"This seems a strange contrivance either for levying a tax of 200 per cent. on foreign trade, or preserving their gold, which has hitherto borne a relative value of only 5 to 1 in Japan, instead of, in round numbers, 15 to 1, as in Europe. Certainly, if both these objects could be attained by the measures adopted, it would be the triumph of financial skill. But its effect on our trade is too fatal; and the treaty thus interpreted would remain a dead letter under its influence, if it applied to foreign dealings alone, and so pernicious in the general panic and confusion if carried out in all the monetary transactions of the empire, that something must of necessity be done, and without delay, to counteract such measures. It is not easy, however, to arrive at all the facts; and still less so to devise a line of action on the part of foreign diplomatic agents and merchants respectively, which shall compel the Japanese Government to reconsider their policy, and modify or totally abrogate the measures already taken. I have not yet entered into discussion with the authorities on the subject; and Mr. Harris, like myself, seems to have had his hands too full on first arrival to do more than enter a protest against this change in the currency. He has expressed his willingness to concert measures of active co-operation with me: but I doubt whether the demand simply for the withdrawal of the new coinage, whether its circulation be destined to be general or partial, will meet the difficulty that seems to underlie the whole question, viz., the discrepancy between the relative value of gold and silver in Japan and the foreign countries with which they are now to be brought in contact. It would be impossible to deny the right which every other nation would undoubtedly claim of taking measures so to modify their currency, thus suddenly brought into circulation with foreign coinage, as to keep a fair equivalent value between their gold and silver, and prevent either, by an inevitable tendency, being drained out of the country, and at a third of its intrinsic value. I am satisfied her Majesty's Government would not be disposed to deny them this right of a sovereign power, however justly we may claim that, in the measures taken to this end, they should not be unnecessarily injurious to

foreign interests, and still less framed with a design to levy a tax under pretext of establishing an equilibrium in the national currency. Now, the measures actually adopted, I confess, appear to me open to both these objections, whether they effect the more ostensible object or not; and on that ground we may reasonably and rightly insist on some change. A gold kobang is a coin weighing 123 grains,—fifteen grains heavier than a sovereign, but of less pure gold; and this, I am told, only represents but four silver itzebons, or an ounce and a third of silver. Intrinsically, the kobang, by assays made in London and Paris, is found to be worth from 17s. 6d. to 18s. 6d., there being some variation in the alloy between new and old coins. It is obvious enough, therefore, that at the rate of a dollar and third for a kobang, very few would remain in the country after the year in which free trade was established. And this in effect, though not so expressed, is the argument of the Chinese, as I understand it has been stated in writing in answer to the protest of the United States consul at Canagawa. They say, ‘Hitherto only a barter trade has existed with foreigners; the coins were therefore only in circulation among Japanese, and their value was solely determined by the stamp. They cannot, therefore, be exchanged according to relative weight; because one dollar, which is regarded at the rate of fifteen taels, should in that case be taken in exchange for three silver itzebons, which have each that value: an absurdity,’ they add, ‘which must be quite clear without explanation.’ In other words, I apprehend, they would urge, ‘Hitherto among ourselves it has pleased us to adopt a standard different from yours for our gold and silver coinage, by which the silver in circulation has borne a purely fictitious value in relation to the gold. They have been used as silver tokens, with a government stamp fixing their value, and are utterly unfitted, therefore, to be exchanged for mere relative weights of silver in foreign coin, which have no such adventitious value attached to them. To meet this state of things, having in view the stipulations of treaties, we have prepared a silver currency in harmony with European; have made two coins equal to your dollar in weight and intrinsic value, and bearing in its title and stamp a circulating value corresponding to both,—the original half-itzebon, weighing only one-third, having a purely conventional value in the Japanese market, and all similar coins we withdraw from circulation altogether, as no longer fitted to the circumstances in which Japan is now placed.

“All I can say at present is, that, assuming this to represent sufficiently accurately the true bearing of the question of currency under discussion, it would appear to have been much easier, and far less productive of prejudice and derangement (if some violent and sudden adjustment of relative values was of necessity to take place), if the gold had been raised until the European proportion was secured, although how that would have told upon pending contracts and debts could only be determined by knowing the laws of Japan as to what would constitute a legal tender. Altogether, it must be obvious, the question is one of the most perplexing and complicated kind, and it yet remains to be seen what action can be taken either by Mr. Harris or myself, the only foreign representatives here. The initiative would more fittingly come from him, as holding higher rank, and being, in addition, an older resident; but he has hitherto seemed willing, if not desirous, to see me move first; and it is very clear that both must come to some understanding with the Japanese Government at the earliest possible moment. The prices asked by the dealers when I was at Yokuhama, for

their wares, plainly demonstrated the fact that the dollar changed into the two large half-itzebous only had the purchasing power of one of the small itzebous, three of which were habitually exchanged for a dollar."

On the 30th October, the Earl of Malmesbury received a despatch from Mr. Alcock, dated Yedo, August 13th, stating that the currency question was settled, and that it had been definitively determined to make all foreign coins current in Japan in exchange for Japanese coins as these were in circulation when the treaty was made, and according to its stipulations weight by weight.

On the 15th December, Lord John Russell received from Mr. Alcock the following account of the prospects of trade in Japan :—"Having in view the political institutions and social condition of Japan at the present time, I am persuaded a long interval must follow, before any foreign trade can take a development which shall be in relation with its natural resources. Be these great or small, as the state is now governed, no just proportion between such trade and resources can apparently be established. A few words of explanation may suffice to show the grounds on which this opinion rests.

"The government here is oligarchic rather than monarchic. An oligarchy composed of all the hereditary Damios, proprietors of three-fourths of the soil, and with many attributes of sovereignty attaching to their fiefs, constitutes a great council of the nation, *en permanence*, since one half are always at Yedo. The Tycoon is little more than their nominee and executive; and for the last generation or two, at least, the choice has always fallen on the candidate related to, and supported by, three or four of the most influential of the Damios. Thus constituting a permanent council, they not only have a determining influence over the action and policy of the Tycoon's government, but are in a position to exercise an independent, and, to a great degree, an irresponsible power throughout the empire, each in their several states or territories. As chief proprietors of the soil, its products, and the various channels of commerce through their states, are inevitably subject to their control. They hold, moreover, a power of life and death over all within their territorial jurisdiction; and the administration of justice is equally in their hands, uncontrolled, except in so far as established laws and customs may place any check on the arbitrary will of the prince or his delegates.

"The way in which these conditions may work to the prejudice of any natural development of trade and the resources of the country under existing treaties, must be sufficiently obvious. Assume the whole of these territorial magnates or Damios, with feudal jurisdiction in their several territories, to be opposed in principle, by convictions based on political considerations of its impolicy, and still more by deep-rooted prejudice, to any freedom of intercourse with foreigners, or extension of their relations with European powers, and it will be evident that independent of all action of theirs collectively, as a council, upon the government which they in effect place in office, their influence, individually in their own territories will amply suffice to prevent the success of any other policy. Yedo and the two ports of Nagasaki and Hakodadi are severally in the imperial domain, but the domains of the Damios intercept all the lines of commerce to and from the interior and the great centres of trade or produce. No trade, therefore, to any extent can take development without their consent.

"They have but to will it, for instance, to prevent coal being either worked or despatched to the ports. The coal mines are all their property, so far as I can learn. So of copper, lead, silver and all the other sources of mineral wealth, in which there is good reason for believing the country abounds. Although these may not be all in their possession, yet their influence will always suffice to prevent their being worked to advantage, or for the benefit of the foreign trade. To prevent silk being cultivated beyond the native demand, vegetable wax, and various other natural products which might feed the foreign market, must to them be easy work. Still more easy will it be to the Damios in the provinces to prevent such free circulation of foreign coins in the interior as can alone render foreign trade independent of the action of the Government for the supply of Japanese coin; and in great measure above the fluctuations or arbitrary changes to which the monetary system of Japan appears to be subject from time to time, according to the policy or wants of the Government.

"With these explanatory remarks on the general conditions under which the treaty is now being slowly and partially brought into operation, if we turn to the immediate results it will be found that as far as foreign trade has hitherto taken any development (confined almost exclusively to Nagasaki), the natural tendency of things has been to make China and our Chinese trade, in connection with minor interests of the Dutch and other settlements in the Straits, the connecting link by which a Japanese and foreign trade is to be established, and the preliminary step to any more direct extension westward. The exports from China, the Straits, and Batavia, of sapan wood and other produce of infinite variety, with a few British manufactured goods, and the import to China, in exchange, of quite as numerous a list of products of Japanese growth, chiefly edibles, bicho de mar, seaweed, dried mushrooms, ginseng, &c., have supplied the first elements of a foreign trade; that is, a trade employing foreign ships and capital, and under foreign guidance. But with the exception of a few watches and toys on the part of Holland, some cottons and fancy articles from us, and a cargo or two of lacquer ware sent to Europe, everything in the way of a direct trade with the west is yet at its very commencement, and without any great promise of development. Even in the beginnings made by an interchange of Chinese and Japanese edibles, &c., we have been met by a formidable obstacle in certain vested interests and monopolies of old date. The Chinese, who have a co-hong, or colony, in Nagasaki, have had the exclusive privilege of dealing in many of these articles for the last two centuries, on which their trade has existed. No note of this seems to have been taken in any of the treaties, and all monopolies are by their provisions at an end. But like some animals of low vitality, such monopolies are hard to kill outright in Japan. Nominally put an end to, they continually reappear, with unmistakable signs of life. At Nagasaki, hitherto the only centre of trade, a still greater difficulty opposed to all progress exists in a vicious system of trading guilds with exclusive privileges, in which the most active and deeply interested partners are government, treasury, and custom-house employées. Their participation in the trading operations is disavowed, but not the less real; including nearly the whole number, from the Governor downwards. Your lordship will readily perceive how fatal such a state of things must be to all progress or development of foreign trade, and how difficult it will be to overcome such obstacles. The consul's last despatch shows that hitherto little or no advance has been made, and it



will no doubt require long and patient, as well as energetic efforts on the part of the foreign representatives in Japan, aided by all the perseverance and enterprise of foreign merchants, before such impediments as these can be removed. Yet, until this is effected, and the disavowed, but undoubted, interference of Government officials between Japanese and foreign dealers is entirely got rid of, it is very certain all freedom of trade under the provisions of the treaties must be a delusion.

"Taking, then, into consideration these various circumstances, thus largely grouped for the sake of brevity—the general inimity of the Damio class to all extension of foreign relations or commerce; the monetary and currency questions, which have already given so much trouble; the long-guaranteed Chinese monopoly, and still more formidable system of official trading interests; and lastly, the prevalence of a political economy opposed to all unfettered trade, if not to all foreign trade, especially to the unrestricted working of mines, whether of coals or metals, and to all improved methods of working, as tending, by machinery, to diminish the demand for labour—the prospects of any large or rapid development of foreign trade in this country cannot be considered promising. Were it only the very generally received opinions throughout the nation of the danger of exhausting the mineral resources of the country, and the impolicy and injustice of doing so, if even for their own profit in any one generation, the obstacles in our path would be great; for no mineral or other product the Japanese possess could be so valuable to us as a good steady supply of the best coal. All mineral products are looked upon as in great part the inheritance of posterity, being, unlike the product of the soil, unsusceptible of reproduction, and, therefore, they hold not at the disposal of any one generation save for its own reasonable and immediate wants. Taking, I say, these various conditions into consideration, I think it is evident that all progress must be slow and uncertain; and to insure any, may demand efforts which will seem, in the first instance, at least, greatly disproportioned to the interests actually at stake, whether commercial or political.

"The possible and ultimate proportions those interests may take in either direction have, no doubt, to be weighed in the same scales with those that are both probable and proximate; since each has its legitimate place in any determination to be taken, either as to the establishment or the extent and character of the efforts it may be deemed expedient to make, to advance and safeguard our interests in these seas.

"Japan has the credit of being a cheap country, and to the Japanese I can readily believe it is; although if I were to credit the asseverations with which the government officials back the most extortionate prices, I should say in all, except rice and French beans, it is the dearest country I have visited. I put aside their evidence, however, as too palpably made to sustain a system of exaction they spend all their time in carrying to perfection at my cost—veritable parasites inflicted upon us by the Government, nominally for our convenience and protection, but in reality to watch and feed upon us, whom neither Mr. Harris nor I have yet succeeded in dislodging. But either from this official interference, or a tendency of the people, not peculiar to Japanese, I fear, to take advantage of the foreigner and stranger, I can well believe nothing has ever been obtained by us at its fair value in the country. Add to this the fact that Englishmen cannot live in this country and keep their health, even if they could appearances, upon rice, fish, and coarse vegetables, the only things I know which are

both common and cheap in Japan; and at Yedo, even fish must be excepted, for it is often very dear. Pork and fowls, ducks and pigeons; do exist, and are all to be had more or less frequently at moderate rates. But mutton or beef, or any of the etceteras that make up the most homely table in Europe, are none of them procurable except from thence or Shanghae, at Shanghae storekeeper's prices, which require a very long purse indeed to meet. It comes to this, then: if we could as the Japanese live, on rice and fish, with Japanese cookery, and saki to aid a bad digestion, in houses with a few lacquer trays for furniture, and a dressing-gown and girdle for all clothing—live, that is, and keep well, with moral and physical energies unimpaired to do the country's work, Japan might form a very cheap, if not a lively or pleasant, place of residence. But if otherwise, it is, and must be, dear to a foreigner, in proportion to the establishment and table he keeps, or the appearance he feels called upon to maintain. Servants of the country are cheap, but, as in India, many more are required to do the work; and servants from Europe, or even China, can only be obtained at the most extravagant rates. A Chinese cook demands 15 taels a month (60*l.* a year) as the price of his expatriation; a common servant, 40*l.*

"The habits of the country also tell against a consul who has a certain official rank to maintain. No high official comes to pay him a visit without a large retinue of attendants and subordinates of every grade. No Damio stirs out without norimons, led-horses, grooms, and a numerous band of officers and retainers; and only to such outward insignia of rank or importance is any respect ever paid. Alone, and without attendants, on foot or on horseback, the American Minister or British Consul-General must expect to be hustled, mobbed, and stoned; happy if they escape more serious injury from some half-drunken retainer of a Damio. The Japanese cannot understand that any one entitled to retainers and attendants can ever voluntarily dispense with them; and, consequently, no respect is shown to any one divested of such evidences of the right to exact it."

On the 30th December, Lord John Russell received from Mr. Alcock the following remarks on the condition of Hakodadi:—

"Little more, as I have already stated, than a fishing village, with no appearance of any large or active trade, coasting or inland, it would seem at first sight as though no materials existed here for any commerce with foreign nations. The most abundant produce of the place is not very susceptible of export, furnished by the waters of the bay, which abounds in fine salmon and other fish, and cheap in proportion. Nearly every shop presents long rows of salted salmon for sale, as evidently one of the principal articles in demand. Another article which bids fair to load a few ships, perhaps, for China and the coast every season, is of recent production, and owes its introduction to foreigners. I allude to "Irish potatoes," as the Japanese have learned to style them. They are not large in size, but good, and so plentiful as to be sold, even with all the additions and profits of a comprador establishment, at the rate of 75 cents, or 3*s.* 6*d.* a picul (130 pounds), while at the villages a few miles off they may be purchased for less than half that sum (for an itzebou, or 1*s.* 6*d.*) When to these items of native produce, the one of the waters, and the other of the soil—is added a certain limited range of furs and skins—this is all that appears in the mile of shops which form the main street of Hakodadi, beyond common articles of food and daily use for the population, if sea-slugs, bicho de

mar, sea-weed, dried mushrooms, &c., fit for the Chinese market, be excepted.

"But all these are either too little fitted for European consumption, or too limited in quantity, to enter largely into any estimate of materials for a foreign trade. The skins, bear, sea-otter, and deer, the best of these articles for foreign markets, are badly dressed, so as to involve the expense and trouble of redressing, as well as the chance of deterioration from the first process. They are, however, cheap enough to bear extra charges and some risks. From 15 to 20 itzebous will buy a large bear-skin, bringing the whole price to 20s. to 25s. The sea-otter skins being finer and scarcer, I suppose, fetch higher prices, from 50 to 80 itzebous (3*l*. to 5*l*. each). Dressed deer-skins, soft, and well prepared as leather, with rather graceful printed patterns stamped on surface, cost about a dollar each. For leather-covering to chairs and furniture, and various other uses, these might come into play, and in wholesale might probably be obtained cheaper. Pheasants, wild duck, deer, and wild boars, as well as bears, seem to be abundant in the island.

"These small contributions to any foreign trade that may arise lie on the surface, as it were, and first attract attention. But behind these are two principal elements—lead, a large mine existing within twenty miles, and sulphur, chiefly brought from Sulphur Island, one of the Loochoos, but abundant everywhere in Japan, in this island as in the others; for nature has liberally gifted all with volcanoes, in constant activity. I visited the lead mines, and saw many evidences of the richness of the veins. They extend through a range of hills about five miles inland from the sea, and are worked by adits and shafts, but in a primitive and rude way, with no appliances of machinery or aid of modern science. His Excellency the Governor, on my return, was anxious to learn from me whether, on comparing it with the mines in Europe, there was great room for improvement, and I told him undoubtedly there was; and that all the means we possessed were now at the command of the Japanese Government, if they chose to take measures for securing them. The Governor assures me they only produce lead for their home demands, and these are limited very nearly to what is required for ball practice. This is his statement, a very warlike one, as I remarked to him, with a smile. What they do produce, or how many men are employed, I had no means of discovering. The ore is said to contain a large per-centage of silver, as much as 10 per cent.

"Lead, if the Japanese would sell it, sulphur, and furs, then, appear to be the chief elements of a foreign trade at Hakodadi, at the present moment. The Governor presented me with a fine piece of stone, resembling the Turkey stone in use for hones, and a piece of striped silk, as some of the produce of the place. The former might possibly supply an article of export. Sea-weed, and other edibles in request as articles of luxury to the Chinese, salted and dried salmon, potatoes, &c., may all help to fill up ships on the line to and from China and the Japanese ports. What the foreign merchant is to bring in return, as imports, to enable him to barter for these, is not very clear. An American brought last year a cargo of 60,000 dollars' worth of cottons, woollens, &c.; a quantity so wholly disproportioned to the probable, or possible, wants of a place like this, that it had the effect of checking what little demand might otherwise have existed, since the Japanese jumped to the conclusion that they must be sold, at any sacrifice, and would not bid for them according to their value:

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the greater part are now being re-exported to China. In the first instance it is probable the exports from hence must chiefly be bought with bullion. To obviate further difficulty about the circulation of foreign coins at their legitimate value, or their exchange for Japanese, the authorities here propose to stamp all the dollars, &c., that may be brought to them for that purpose, with Japanese characters, indicating their exact worth in the coinage of the country. If no trickery or abuse be engrafted on the original proposition, I think it promises well and is unobjectionable, as a means of temporarily relieving commerce of an existing difficulty.

"In other respects Hakodadi has many things in its favour. It possesses a noble and secure bay, easily accessible, with good anchorage and deep water over a great extent. The people are without hostility and of a quiet habit. No Dutch relations have ever existed here, nor long-established monopolies and exactions to deteriorate the position of foreigners by centuries of evil precedent. All these are so many conditions of good augury for the future. One thing alone seems wanting to give it all the preliminaries of success; and that is, regular and frequent postal communication with the other open ports and China. The Peninsular and Oriental Company have supplied the link wanting between Shanghai and Nagasaki by a bi-monthly steamer. The Russian consul at Hakodadi has concerted means with me, by the aid of Russian gunboats under his orders, for establishing very shortly a monthly communication between Hakodadi and Yedo, on the understanding that I on my part may be able, in communication with the admiral commanding-in-chief on the China station, to establish a like communication between Nagasaki and Yedo. I shall lose no time in addressing the admiral on the subject, and forward him a copy of this despatch for his information. It will be, of course, for him to determine how far he has means at command to effect this object, and what is required to that end. But I conceive one of the 80 horse-power gunboats, or a despatch boat, would be essential; in addition to a larger class vessel, required to show from time to time, and lie for short intervals at the different ports.

"I found one British resident as a merchant, and two Americans, one of whom has been the commercial agent of the United States, but is about to leave for San Francisco. No merchant of any other nation is at Hakodadi, and everything is at its first commencement. There were thirty whalers anchored in the bay last year, twenty-nine of which were American and the remaining one French. A Russian corvette and a gunboat were at Hakodadi when we arrived."

On the 29th January, 1860, Lord John Russell received from Mr. Alcock the result of the demands made by the Russian to the Japanese Government, in consequence of the murder of a Russian officer and sailor in Yokuhama.

The conditions insisted upon were three:—1st. That a deputation of the highest dignitaries should go on board the frigate and express their regret. 2nd. That the governors of Yokuhama should be dismissed and degraded. 3rd. That the murderers should be apprehended by a given date, and executed in presence of Russian officers, on the spot where the murder took place. And to these was appended a further condition, which the Japanese seemed to consider the most burdensome of all, that they should keep a guard in perpetuity over a mortuary chapel to be erected over the graves of the murdered men. The deputation was sent. The governors were

reported to have been degraded; and they certainly were removed from their posts; and as to the third and principal condition, the Japanese expressed their perfect willingness to decapitate the offenders when found, but declared that up to the date of Captain Ounkovsky's final interview, they had been unable to obtain any trace of them. The chapel they undertook to guard in perpetuity, after some demur at the eternal nature of the obligation imposed, and its cost.

Mr. Alcock further related the murder of a Chinese servant of the representative of a British firm, and although he was unwilling to implicate the whole population of the place or the Japanese people in their isolated act of violence, he saw in the social condition of the people abundant reasons for such acts of violence. He continued:—

“That foreigners have, without distinction of nation, the enmity of a large class of feudal princes and their retainers, who, more especially in Yedo and its vicinity, where the number of the latter is large, must ever, while such animus continues, make the residence of foreigners more or less dangerous, is too evident to be disputed. Were the Damios even less actively hostile, their numerous bodies of armed retainers in the capital and on the high road to Kanagawa would make the streets and thoroughfares insecure. The happy state of order and obedience to law on which Kämpfer and Thunberg have been so eloquent, and more recent writers recording first impressions have still further embroidered, are pictures which have but little foundation in reality. These armed retainers—drunken, dissolute, and quarrelsome in their cups, are the terror of all the more peaceable inhabitants, and dangerous to encounter, as I have had personal experience. The government, in the hands of the more retrograde and prejudiced of the body of Damios, while willing to keep appearances, often but ill-disguise the distaste with which they regard all their forced relations with foreign powers and their subjects—for so only can they justly be characterized. It matters not that force was not actually employed; it was the belief in the power and willingness to use it which prevailed. They neither desire our trade nor our friendship; though not altogether ready to incur our enmity by refusing both. All commercial and political relations under such circumstances must be in great degree unsatisfactory and unpromising for the future, were there no other grounds of distrust and irritation. But our own people, and the foreigners generally—few as they are in number who have found their way to the open ports—take care there shall be no lack of these. Utterly reckless of the future; intent only on profiting, if possible, by the present moment, to the utmost; regardless of treaties or future consequences, they are wholly engaged just now in shipping off all the gold currency of Japan. This can only be effected surreptitiously, in defiance of Japanese laws and edicts, and with small regard to treaty objects or obligations. Any co-operation, therefore, with the diplomatic agents of their respective countries, in their efforts to lay the foundations of a permanent, prosperous, and mutually beneficial commerce between Japan and western nations, is out of the question. On the contrary, it is the merchants who, no doubt, create the most serious difficulties. It may be all very natural, and what was to have been anticipated, but it is not the less embarrassing. And in estimating the difficulties to be overcome in any attempt to improve the aspect of affairs, if the ill-disguised enmity of the governing classes, and the indisposition of the executive government to give any practical effect to the treaties be classed among the first and principal

of these, the unscrupulous character and dealings of foreigners who frequent the ports for purposes of trade are only second, and scarcely inferior in importance, from the sinister nature of the influence they exercise.

"The task which devolves upon the diplomatic agents at Yedo at the present moment is rather, therefore, to make head against immediate dangers and evils which threaten to make their position in the capital untenable, and all future trade impossible, than to reap the better fruit so sanguinely anticipated by many. Such fruit must be of slow growth in this soil, and, if ever matured, can only be gathered after much toil and care and patience have been bestowed on its cultivation. I have given this glance at our general position, which undergoes many alternations of good and evil, that your lordship may understand more fully the aim and spirit in which the inclosed official communication to the ministers of foreign affairs here has been written.

"In referring to the recent attempt to assassinate, and the urgent necessity for such measures as shall prevent crimes of this kind taking place with impunity, I have taken occasion to bring before them an incident in Yedo, which it required but the turning of a straw to have made as tragic as the event at Yokuhama, and all the more untoward that the victim in this case might have been her Majesty's representative. As regards the population there is little to complain of, or to fear. Any hostility they may heretofore have shown, I am satisfied was not spontaneous, but got up by the hostile Daimios, or the government. Here, as in China, it is all of mandarin or official growth. If I had any hesitation in so charging them before, all doubt has passed from my mind since I have seen how surely, after it had been allowed to manifest itself with great violence for several weeks, it suddenly and entirely ceased. I rode through the city from one end to the other, a week ago—through the most crowded thoroughfares—over the 'Niponbas,' the centre where never foreigner had been allowed to penetrate, but a short time before, without popular tumult and a volley of stones; and not a hand or a voice was raised, neither there nor during the whole course of my ride of some ten miles.

"Yet, the other day, nearly at the gate of my own residence, I was in danger of either seeing a defenceless servant cut down, or being so dealt with myself in the effort to rescue him, by parties of drunken and ill-disposed officers, against which contingencies no precautionary measures whatever appear to be taken by the government. When I state to your lordship, therefore, that the first care of the foreign representatives is to secure their own lives, in other words, to make a residence in Yedo tenable for diplomatic agents, I think it will be clear that I do not overestimate the importance of better means of protection being devised by the Japanese Government than they have hitherto seemed disposed to adopt, and not only to secure foreign representatives in the capital from violence, but the persons and property of foreigners at the port. These are the first conditions of any permanent relations, and these once secured, it will be more easy to devote an undivided attention to the removal of other evils and dangers, with which both the government and the foreign agents must successfully grapple, before any good or satisfactory results can be derived from the treaties."

On the 29th January, 1860, Lord John Russell received from Mr. Alcock a communication referring to the great liability to fire in Japan, he said,—

"I have sent a short letter of condolence, expressive of my regret at so

untoward an occurrence. To such danger every one residing in Yedo or any Japanese city must be inevitably exposed hourly, by day and night, to an extent unknown in Europe. Every house being timber-built, to guard against the not less constant, and still more certain, danger of earthquakes shaking the houses down, if built of stone or brick, the inhabitants are obliged to choose between the two evils; and apparently prefer the chance of being burned out of their houses to having them come down about their ears. A week very rarely passes without the shock of an earthquake that would shake the foundations of any house of brick and mortar very undesirably, either for the comfort or the safety of the inmates. But so constant is the peril of fire, that I rid myself of all my Chinese servants, whose inveterate habits of opium-smoking with a light by their side at night, and proverbial carelessness of fire, even in their soberest and most lucid hours, rendered their services, however useful in the first instance, too costly in anticipation, and too irksome in constant and daily anxiety. The Government officers have been urging upon me the adoption of a custom, born of this ever-existing danger of fire, of keeping constantly engaged a brigade of firemen,—a body of fifty coolies at a daily low rate of pay, bound to appear at the house on the first alarm from the fire-bells of the quarter, with an increased allowance each time; and, should their services be actually required, a considerable payment. But as this would have entailed a permanent, and, as it appeared to me, exorbitant charge on her Majesty's Government in the shape of a fire insurance, without any of the advantages of the latter, I have declined, feeling that at best it would give no great increase of security for the extinguishing of a fire if one occurred, or saving the property which might be in the house; while it had the disadvantage attaching to it of giving to fifty men, of whom I knew nothing, a direct and daily interest in the occurrence of a fire, which should either create an alarm in the neighbourhood, or burn the temple itself in which the consulate-general is placed. So that the foreign diplomatic agents must be content to add to the other dangers and drawbacks inseparable from a residence in the capital of Japan, of which I have lately written, that of sharing with his Majesty, and in tenfold proportion of chances, the probability of awaking some night to find their house on fire, and all their worldly goods helping to feed the flames, uninsured,—a considerable aggravation to the evil under any circumstances."

On the 28th February, Lord John Russell received from Mr. Alcock, details of the continued stoppage of trade, dated Yedo, December 6, 1859:—

"At this hour," Mr. Alcock said, "all treaties recently concluded with Japan are virtually annulled. As regards their more important provisions, they might as well have never been signed, so completely have they been disregarded by the Japanese authorities. Trade is stopped at Kanagawa, the port nearest to the capital, as effectually as if an edict to that end had gone forth. And at all the ports its development has been made simply impossible, and designedly so, by prohibitions affecting the sale of the most accessible products for export, and notably erico and awabee (dried edibles for the Chinese market), by limitations in the amount obtainable of other goods, and, finally, by the persistent denial of those facilities for the exchange of foreign money into Japanese currency, or the free circulation of the latter at its just value, without which trade is obviously impracticable. To these nullifying and obstructive acts must be added minor impediments

—in the absence of all adequate measures for the protection of life and property, and consequent insecurity to both, at all the ports; the perpetual interference, covert or avowed, of officials in the transactions between buyer and seller; and the refusal, under a thousand pretexts, of the necessary facilities for determining the sites of foreign locations and obtaining building ground.

"In this state of things not the least discouraging feature is the frivolous and utterly futile nature of the alleged reasons for inaction and delay on the one hand, and for wrongdoing on the other. To such a pitch is this habitually carried, that I should almost fear too largely drawing on your lordship's credulity if I were to enumerate many of these pretexts gravely put forward in the official communications I receive from the ministers and their subordinates. They would indeed be matter for ridicule, and might be amusing, were they not injurious to interests of national concern. This to me is one of the worst features of the whole; because either they are laughing in our faces, in which case it ought to be resented, or they have so low an opinion of our intelligence and claims to respect, that they deem nothing too absurd to be offered in explanation of their conduct, and no time should be lost in undeceiving them. But I am convinced it is evidence of the contemptuous disregard of such means of remonstrance as they conceive can alone be employed; and while they can unmolested carry out a policy which nullifies the treaties they view with so much ill-will, it is a matter of perfect indifference what verbal protests their conduct may bring. They did not, like the Chinese, fire upon the foreign representatives or refuse to exchange the ratifications, and thus give a clear *casus belli*; but wiser, I doubt not, in their own conception, they take care, under a flimsy veil of courtesy and goodwill, belied by a hundred petty acts of annoyance, moreover, to render the ratified treaties null and void in effect, as the safer course.

"To gain this, all means are good in their hands, even to the burning of a Tycoon's palace. To letters of remonstrance they oppose endless delays in answering, or put forward in their replies reasons so puerile, so ludicrously inapt or disproportioned to the effects assigned, that to answer or to combat them is evidently time and labour thrown away. To a demand for personal access to the ministers responsible for this state of things, they object the burning of a palace a month ago, as your lordship will see by the inclosed correspondence; and propose that certain delegates, said to be members of the Council of State, and of recent creation, should receive my visit. The proposition this letter of the ministers makes, is but carrying out intentions clearly enough indicated in the beginning, as reported to your lordship in my despatch of the 28th July last, and further advanced during my last interview with the ministers, now three months ago; namely, that of delegating to subordinates the reception of foreign representatives, and the discussion of all matters the latter may bring forward from time to time. These very officers were introduced for the purpose on that occasion, with a preamble which I rightly interpreted as meaning further action in the same direction, when opportunity could be found. It now appears, that the burning of the palace, in their opinion, affords the desired pretext for establishing the new order, and ridding themselves of the troublesome necessity of occasionally listening to and answering the remonstrances of foreign representatives.

"If they succeed, the residence of diplomatic agents here may well be

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dispensed with as superfluous. Their presence in Yedo will indeed be as void of utility as if they were banished to one of the Kurile Islands. I propose, therefore, as your lordship will perceive by my official letter to the ministers, to make a last effort, not only to prevent this, but, if possible, to rouse the Government to a sense of the dangerous declivity on which they have begun to glide, and induce them to reconsider their national policy while it is yet time to avert great disaster. It is impossible to be sanguine of the result, for those in power are, I fear, too obstinately bent upon the negation of all treaty rights and too blind to the consequences. Yet the events in China, now that it is known a great armament is preparing in England and France to compel good faith, and exact redress for wrong doing, should open the eyes of the blindest. It is at all events my duty to make the effort, and if I fail to attain the end in view, her Majesty's Government will be in a better position to appreciate the nature of the opposition to be encountered in any attempts to enforce a due observance of treaties, and determine what measures it may be expedient to adopt, whether for the maintenance of the rights secured by treaty or their abandonment.

"I scarcely think it can be considered consistent, either with the interests or the dignity of Western States, to maintain such relations with Japan as now exist; nominally under the conditions imposed by treaties and for the benefit of commerce, but in reality without the slightest regard to either on the part of the Japanese. In reading my official letter to the ministers, I trust your lordship will see in these conditions a full justification for the plain terms in which I have addressed them, as to the possible and contingent consequences of perseverance in an adverse policy, and a refusal even to give me the opportunity of meeting them in person, for the purpose of discussing the grounds of complaint so frequently and unavailingly brought under their notice by writing.

"In the views now submitted to your lordship as to the policy of this Government and its effects, I have the entire concurrence of my colleagues the minister of America and the consul-general of France. And I trust I have so far succeeded in placing the position at present occupied by foreign powers in this country in its true light, that I may count upon the general sanction of her Majesty's Government in the course hitherto pursued, under circumstances of no ordinary difficulty and most unpromising character."

On the 28th February, 1860, Lord John Russell received a despatch from Mr. Alcock, dated 10th December, 1859, in which he stated the result of an interview with the Ministers of Foreign Affairs, in which he laid before them the causes of complaints, which he arranged under the four following heads:—

1st. The prohibitions and limitations to which the trade was subjected, taken in connection with the constant interference of the Government officials in every transaction between buyer and seller.

2ndly. The absence of facilities for the exchange of foreign coins, or adequate effort to obviate the injury resulting by rendering the dollar current.

3rdly. The want of security to life and property, and of all effective measures for their protection.

4thly. The denial of facilities for the choice of sites for a foreign location, or, when selected, for their occupation.

On the subjects thus successively brought before them, long and unsatis-

factory discussion took place, beginning, generally, with a denial, on the part of the ministers, either of the fact or their knowledge of its existence. When these grounds, successively, were rendered untenable, some vague expressions of regret, and promise of deliberation, were all that could be obtained. Mr. Alcock further stated to the Japanese ministers that two powerful armies and fleets would shortly be on their way from England and France to exact redress and enforce the execution of treaties.

In answer to this despatch, on the 28th February, 1860, Lord J. Russell wrote to Mr. Alcock to the following effect:

“Her Majesty’s Government approve your general conduct; but it were to be wished that you had not threatened war. If the grievances are not redressed and war is not made, the character of the British Government is in some degree impaired; if war is made to enforce the observance of a commercial treaty, we run the risk of engaging in protracted hostilities, and of earning a reputation for quarrelling with every nation in the East. Time and patience may remove many of the difficulties of which you complain. The Japanese, on their side, may well be jealous of Europeans, who insult their usages and carry away their gold. You should endeavour rather to soothe differences than to make and insist upon peremptory demands. Our intercourse is but newly begun: it should not be inaugurated by war.”

## JAPAN.

*Correspondence respecting Affairs in Japan. (March and April, 1861.)*

On the 16th March, Lord John Russell received a despatch from Mr. Alcock, dated 1st January, 1861, to the effect that the Council of State were advised of a band of “loonins,” to the number of several hundred, and supposed to be disbanded retainers of the late Prince of Meto, having combined, with the intention of setting fire to the Foreign Settlement at Yokohama, for the destruction of the foreign residents and trade at that place; and at the same time, of attacking each of the foreign legations in the capital, and murdering their inmates. Mr. Alcock continued—

“These alarms of a general massacre were, so to speak, periodical. Rumours of this kind reached me, either through the Government or from other sources, many times already, even before the murder of the Regent in March last by a party of these said loonins (a name for disbanded soldiers and brigands), or the late Prince of Meto’s armed followers, as is more generally asserted and believed. The Government then made very similar proposals to the foreign representatives; and, failing in convincing them either of the necessity or the expediency of the steps recommended, they sought to induce us for a time not to stir outside their walls. Failing in this also, they took the opportunity of grafting upon the establishment of spies, watchmen, and police officers at the several legations, a mounted escort of yaconins (officials, soldiers, &c., of indeterminate rank and function, in the Tycoon’s pay) to accompany the members of the several legations whenever they stirred out. This arrangement has continued ever since, although it has been repeatedly demonstrated, at our risk and peril, that they are in reality no protection whatever, and look with terror themselves

upon any chance of collision with these two-sworded bravos of the Daimios resident in the capital, who keep many thousands of this dangerous class as armed retainers in their service and afford them sanctuary. The Government can hardly believe, after all they have heard from us, that any protection is in effect afforded; but they cling not the less tenaciously to the appearance by sending two or three of these useless and poltroon officials with any member of the legations who may go out. If they really saw cause of alarm, would they not take some more effective means of securing our safety? So at the time of the Regent's death there was great manifestation of alarm and anxiety on the part of the Government, new palisades were erected round the legations, drawing within narrower limits the ground to be watched and guarded, and the numbers of the guards were doubled at night, Precisely the same series of demonstrations appear now. A large addition has been made to-night to the officers and police on duty, and probably to-morrow an urgent request will come from the minister that I will not venture outside the legation until the danger be past, which I must disregard under penalty of finding myself virtually a prisoner for the whole remainder of my term of residence in the capital, be it long or short."

On the 28th March, Lord John Russell received from Mr. Alcock the account that a British interpreter and acting secretary had been waylaid on his return from the Prussian legation by a band of six or seven men, who fell upon him with savage yells, as is the Japanese manner, and cut at him from both sides of the road, while he endeavoured to spur on his horse. He received several wounds, but rode through them, and proceeded one hundred yards, when he called to his groom running a-head to stop his horse, and as he came up he fell to the ground. He had received a mortal wound in the abdomen, through which the bowels protruded. "The yaconins, three in number, who accompanied him for his protection, fled instantly, as I had told the ministers at my last interview I knew they would, if we were in any real danger. The protection they afforded has never been otherwise than a sham. A thousand facts proved it; and I repeatedly warned the ministers that if there were any real danger, their means were miserably inadequate for security. But it was useless; and so the system went on without material change. Mr. Heuskin was left to his fate for half an hour, bleeding on the ground, before his brave protectors found their way back with assistance to carry him home.

"On the fourth day after, all the corps diplomatique and the consular body from Kanagawa assembled at the American legation by invitation to render the last honours to the murdered man, when they received a warning from the Government that if they persevered in their intention of following the body to the grave, they were likely to lose their own lives. No one hesitated; but the fact of such a warning seemed to indicate either an odious policy of intimidation on the part of the Government, or such deplorable timidity and weakness as took from the foreign representatives all security, or hope of vigorous measures for their protection. Not only were none taken on this occasion—not a soldier called out—but there was a total absence of any precautions to prevent a surprise or sudden attack along the line of road, for more than a mile by the banks of a river, and offering great facilities of attack from cross-roads leading to it, and bridges which crossed at short intervals.

"The whole of the foreign ministers, strongly impressed with the significance of these events, and the sinister rumours which continually circulated of a

general massacre, met, by common consent, the next day, at this legation to consider their position, and what course it behoved them to take, not merely for their own safety, but for the honour and dignity of their respective sovereigns, and the interest and lives of every foreigner in the country.

"The American minister alone, of the five members present, was willing to let things take their course, and confident in the good faith of the Government. Neither the assassination of his own secretary, nor the warning at the funeral and all that followed, seemed capable of shaking his faith in their honesty of purpose, and ability to afford protection. It was in vain that the rest of his colleagues, pointing to a long series of assassinations, the constant denial of justice, and a continued system of menace and intimidation, showed the impossibility of reconciling the views he entertained with the facts. A second conference took place, after a few days' interval, at which Mr. Harris did not attend. A *compte-rendu* of the two conferences was drawn up, giving a full and detailed statement of the views entertained by the several representatives present, with the grounds for a perfect unanimity as to the most fitting course to be followed to avert a great danger to Japan, no less than to the foreigners now in the country. This bears the signature of the ministers of Great Britain and Prussia, the *chargé d'affaires* of France, and the consul-general of Holland, and a copy shall be forwarded by the first opportunity."

On the 8th April, Lord J. Russell wrote to Mr. Alcock to the following effect:—

"Her Majesty's Government are glad to perceive that although withdrawing for a time from the seat of Government, you have made it clear to the Japanese Government that in doing so you have not broken off relations with it; and further that while calling upon the Japanese ministers to protect the representatives of foreign powers, you have not coupled your demand with an intimation that their omission to do so, from whatever cause arising, may be resented by acts of hostility on the part of her Majesty's Government.

"The step that you have taken, without committing either yourself or your Government to a positive interruption of friendly relations, or to any eventual course for asserting treaty privileges, is still sufficiently indicative of your displeasure, and of the serious light in which what has occurred may be viewed by her Majesty's Government, to cause the Japanese Government to feel anxious as to the result. If matters should not be settled when you receive this despatch, you will be careful to say nothing to moderate that anxiety, or to lead the Japanese Ministers to suppose that the state of insecurity in which her Majesty's representative and her Majesty's subjects generally are left by the remissness of the Japanese Government, in controlling the evil propensities of disorderly Japanese, is not looked upon in this country in a very serious light.

"But her Majesty's Government, as you are well aware, have no desire to quarrel with Japan. They wish that both countries should reap the benefits which the late treaty promises to confer upon them, and they would most deeply regret to be driven by the Government of Japan to the necessity of exacting by other measures the observance of the rights secured to this country by that treaty. At all events, however, you will always bear in mind that except in a case where immediate action is required to preserve the lives and properties of British subjects, or of the subjects of

foreign powers in amity with her Majesty, it is the desire of her Majesty's Government that the employment, or even the menace, of force should not be resorted to.

"I understand from the Admiralty that Sir James Hope, on receiving intelligence of the events described in your despatch, took steps for increasing her Majesty's naval forces in the waters of Japan, and that he was prepared, if on consideration such a course seemed to him necessary, himself to proceed to that quarter. Her Majesty's Government therefore feel assured that adequate protection will be at hand to provide against any emergency that may occur; but I need not say that they look with great anxiety for your further reports. The promise of a great development of British commerce in Japan, which the results of a single year's experience hold out, and the sympathy felt by her Majesty's Government with her Majesty's subjects in the perilous position in which they appear to be placed, justify this anxiety, but they are in some degree reassured by the conviction that the British interests which are at stake could not be entrusted to better keeping than your own."

On the 26th April, Lord John Russell received a despatch from Mr. Alcock, giving the result of the negotiations entered into for the return of the foreign ministers. The first conference was held on 21st February, when care was taken to place on record certain important facts, serving as a basis for the whole negotiations:—

1. The temporary withdrawal of the foreign representatives, to avert danger to existing relations, and in order to give the Tycoon and his Council of State time to adopt measures on their side. 2. The recognition, on the part of the Tycoon and the Great Council of just causes of complaint; their regret at the exceptional state of affairs resulting; and their desire to put a term to it, by the return of myself and colleagues to the capital. Then followed the conditions of their return; the first consisting of a formal pledge of the Tycoon, by and with his Council of State, to provide effectually hereafter for the security of the legations, and their exemption alike from violence and menace, and, under this assurance, his invitation to resume their posts. The other conditions were matter of detail, to give effect to the first; the last being the public recognition, on the part of the Government, of the return of the foreign representatives, who had left under menace of violence and insult, under circumstances wholly different in character, and with marks of respect to the national flags, by a hitherto unused distinction of a royal salute at the moment they were hoisted. This last public homage and mark of respect, was that which would cost the most to secure; but finding it impossible to secure their return without this concession, it was finally agreed to.

Under these circumstances, it appeared to Mr. Alcock, as to his colleague, that the objects for which we had accepted so many sacrifices and such grave responsibility would be fully attained by our return. The false position in which foreign representatives had been placed by the Japanese Government perpetually warning them, and through them all their countrymen, of danger and threats of massacre, under a practical disclaimer of their responsibility, or, at all events, of their power to prevent either the one or the other, would cease. Their position would not, on the face of it, be one utterly derogatory to the nations they represented; life, either their own or that of their countrymen at the ports, might not in effect be perfectly secured: this, in the present state of the country and its Government,

might be unattainable, but there could be little doubt that a great step towards that end would have been made. Lastly, various manœuvres and devices, designed apparently to lower the foreign representatives in the eyes of the people, and to restrict them from all free communication, were formally repudiated; and the maintenance of those existing, or the creation of new expedients to the same end, if not rendered impossible, would certainly be made more difficult.

The second conference was entirely taken up with considering the grievances and position of foreigners at the great trading port in the immediate vicinity of the capital, and which was in some sense made to share the peculiar dangers and disadvantages attending the close vicinity to the centre of government, and sources of hostility or disaffection either to the Government or the policy they were ostensibly pledged to carry out in their relation with foreign powers. Having profited by the opportunity my temporary residence at Yokohama gave me to inform myself fully, both by observation and a reference to the merchants called upon by the consul to come forward and freely state all their grievances, and in what direction they thought a practical remedy could be found with increased facilities, I was fully prepared to enter at length into the subject, and to insist upon many important measures, involving both principle and detail. The bases there laid down will serve me now for a programme, to be worked out step by step, until the whole of the measures proposed shall have been adopted. In the meantime the removal of the consuls to the Yokohama side, an object long desired by the Japanese, has been conceded, on the only condition I have ever consented to entertain the project, namely, that the consul should have a site on the bluff or hill-side beyond the settlement and the canal boundary they had made to circumscribe foreigners and isolate them. There is thus an effective innovation on the stereotyped "Decima" policy of this Government.

While engaged in these negotiations Mr. Harris wrote to advise his colleagues that the bluff had, in their absence, and at his request, been given up for the residence of all foreigners. On communicating this to the envoy and the governor, in M. de Bellecourt's presence, they declared that no such arrangement had, to their knowledge, been entered into. Mr. Harris has since seen the ministers, and, I believe, obtained some further assurances, more or less to the purpose; but be this as it may (and it is indeed of no great importance), it is already distinctly understood, as the result of our negotiations, that the consuls shall immediately have sites on the hills, and hereafter, if room be wanted, the merchants.

On the 26th April, Lord John Russell learnt from Mr. Alcock that he had returned to Yeddo under conditions that promise the realizing of the principal objects which, in common with his colleagues of France, Holland, and Prussia, he had in view, when deciding on the necessity of a temporary withdrawal. Mr. Alcock said—

"I came up from Yokohama to-day, in her Majesty's ship *Encounter*, and hoisted my flag at the British Legation, under a royal salute from the Japanese batteries, as previously agreed upon. M. de Bellecourt arrived at the same time in her Majesty's ship *Pioneer*, there being no French ship of war on the spot capable of furnishing him the means of transport, the *Dordogne*, the only one in port, having been nearly wrecked on her way here, and being unfit to move.

"We were both received on the landing-place by the Governors for

Foreign Affairs, with a large cortège of officers, and each was conducted to his respective legation in state. As they passed the gates the flags were hoisted and the salutes from the batteries were fired. The programme laid down in previous conferences with the envoy of the Tycoon, despatched to us at Yokohama, was thus faithfully carried out; and the salutes were returned by her Majesty's ships *Encounter* and *Pioneer*. As soon as I had reached the legation, a Governor for Foreign Affairs arrived on the part of the Tycoon, to convey his congratulations and express his satisfaction at my arrival.

"The objects contended for in the first instance, your lordship is aware from my previous despatches, were of such paramount importance that whatever risks and sacrifices might attend the struggle for their attainment, we felt bound to accept them. There is the more satisfaction, therefore, that within a month (to a day) of our departure, when all looked so unpromising and doubtful, and it was confidently predicted by the only foreign representative who adopted a different policy and remained behind, that they should never be allowed to return—the flags of Great Britain and France again float over the legations, receiving for the first time in the history of our relations with the Japanese a royal salute. In truth this, of all the conditions insisted upon by my colleague and myself, was the one most reluctantly conceded, as being contrary to their usages and never done before, although urged upon them by myself when the ratifications of the treaty were exchanged on my arrival, and again twice subsequently by Mr. Harris, on the part of the United States, when the Japanese embassy embarked on board the American frigate, and also on its return in another ship of war of the United States. Not only has this outward manifestation of respect to the national flags of foreign powers been secured, but the representatives who left the capital, refusing to accept a position of tolerance and humiliation, subject to perpetual insult and menace of assassination which the Government did nothing effective to prevent, also refused to return, save at the express invitation of the Tycoon, and under a formal pledge of his responsibility for the future security of the lives of all foreigners, and freedom from violence.

"Finally, it is to me, as I am sure it will be to her Majesty's Government, peculiarly a source of satisfaction that these important results have all been effected without once resorting to any menaces, either by the presence of a fleet, or the intimation that force under any circumstances was contemplated. Thus the very ground on which Mr. Harris based his whole course of action, charging all his colleagues with inevitably provoking a collision and bringing all the horrors of war and rapine on the country, have been signally refuted by the result. Having, however, declined continuing a correspondence with the United States minister, which I considered as profitless as it promised to be endless, I have contented myself with simply announcing in a short letter, copy of which is inclosed, the return, under satisfactory conditions, of such of his colleagues as were on the spot, and left him to draw his own inferences as to the correctness of the conclusions which in the beginning, and three weeks subsequently, he so warmly asserted and defended.

"I cannot conclude without calling your lordship's attention to the hearty, willing, and most effective aid received throughout this trying period from the senior naval officer here, Captain Dew, of her Majesty's ship *Encounter*. I esteem myself especially fortunate in having such co-operation, and my

former relations with Captain Dew in China, in equally critical circumstances, have been most agreeably renewed here with undoubted advantage to the public interests. I had requested Captan Dew to keep her Majesty's ship *Roebuck*, in anticipation of my return to Yeddo, so that her Majesty's Government might receive by the 15th March mail from Hong Kong the earliest intelligence. This, I hope, will have been secured, and although necessarily brief from the necessity of closing the mail immediately on my return, and in the midst of all the confusion of a reinstallation in a half-empty house, the information now conveyed will suffice to relieve your lordship's mind of any anxiety as to the end."

## CHINA.

*Correspondence relative to Affairs in China.* (Sir Michael Seymour.)  
21st February, 1860. (94.)

ON the 9th August, 1858, the Secretary of the Admiralty transmitted to Rear-Admiral Sir M. Seymour copies of despatches from the Earl of Elgin, reporting the inconvenience which had been occasioned by his failure to carry out the arrangements which had been made to ensure the presence of a fleet of gunboats off the Peiho to support the demand made by his Excellency on the Chinese Government. In his letter, Lord Elgin said,—“From all that I have heard and observed since I came here, I am confirmed in the opinion that if, on our arrival, we had been in a position to move at once up the river towards Tien-tsin, with a force of from 10 to 12 gun-boats, assigning, as the motive of this proceeding on our part, to any Chinese local officials who might have seen fit to question it, our determination to confer with the Emperor's Government at or near the capital, and apprising them at the same time that, though we intended to do no violence while unprovoked, we were prepared to force our way if any attempt were made to stop us, we should have been able to effect this operation without encountering resistance. By adopting this course we should have furnished to the Chinese Government palpable evidence of the fact that foreign ships of war can ascend the river, which is the highway to the capital, and which has hitherto been considered a sealed channel to them. We should moreover have placed our force between the capital and the junks, which convey to it at this season the customary supplies of grain. I think it probable that such a demonstration, under the conditions above stated, would have sufficed to bring the Imperial Government to terms, and that any necessity for a recourse to further measures of violence or coercion would have been avoided. The chief credit of this manœuvre, if it had been executed in the manner which I have sketched above, must have accrued to the British navy, because, for every single vessel, competent by draught of water to navigate the Peiho river, which Admiral Regault de Genouilly has at his disposal, Admiral Seymour has at least five.”

And again: “If, on the plea that it could not be spared from the Canton river, Sir Michael Seymour had declined to send to the north the large fleet, ‘especially of gunboats,’ for which I had applied, I should have been compelled, however much I might have dissented from it, to bow to his decision on a professional point, and I should have shaped my course accordingly. If, again, he had told me that it was not ‘towards the end of March,’ but ‘towards the end of May,’ that his fleet would be available for service in this quarter, I should have made a corresponding change in my arrange-



ments. But, in his letter of the 2nd of March, he promised, in the most uncompromising terms, to give me the support for which I had asked, and offered not a syllable of objection to the period which I had specified as that on which I required that the support in question should be forthcoming. It is, therefore, with a degree of surprise which I have difficulty in describing that I learn from the information which he has now for the first time furnished to me, that his arrangements are so made that the very inadequate force which he is about to supply will not arrive here until the approach of the season when the climate is most unfavourable to the European constitution.

"No explanation of the cause of this most grievous disappointment has been given to me, and I do not trust myself to hazard a conjecture on the subject. It is idle to charge the delays which have taken place upon the monsoon, because, where the French gunboats and the *Slaney* could navigate, it is manifest that other gunboats of the English squadron might have done the same; moreover the admiral has under his orders powerful paddle-wheel steamers, such as the *Fury* and *Sampson*, which could have towed to this point a sufficient number of the smaller class of gun-boats if it had been deemed expedient so to employ them; nor can it be alleged that there was any room for doubt as to the policy which the high commissioners of the allied powers were, in obedience to their instructions, about to pursue; for, independently of the communications, both verbal and written, which I had myself addressed to him on this point, Sir M. Seymour knew before he left Hong Kong—indeed he mentioned this fact to me when he visited me on the 24th instant—that Admiral Rigault had sailed for the north with all the force he could collect, including, with one exception, all the gun-boats under his command. In point of fact, the whole French fleet reached this anchorage on the 25th instant; and, at the moment when I am writing this despatch the French flag is represented by two gun-boats within the bar of the Peiho, the English by two despatch-boats aground on the top of it. I much fear that it will be found, when the matter comes to be inquired into, that one of the reasons for the non-appearance of gun-boats here at a time when their presence would be so valuable, is the fact that many of them are unserviceable, from the way in which they have been lately worked in the Canton river in the discharge of duties, a large proportion of which might, at any rate since the blockade has been raised, have been as well executed by the ordinary passenger or other merchant-carrying craft. I am satisfied indeed from what I witnessed on the occasion of the capture of Canton, and from what I have since observed in my progress along the coast, that the means at the disposal of the British authorities in these seas, if properly employed, are ample for any objects which her Majesty's Government may desire to accomplish in China."

In answer to this despatch, Admiral Seymour explained the position of the fleet at the time Lord Elgin was conducting his negotiations, and then proceeded as follows:—

"I entirely differ in Lord Elgin's opinion, that had we moved up the river immediately on our arrival off the Peiho, without resistance, it would have sufficed to bring the Imperial Government to terms, and that any further measures of violence or coercion would have been avoided. I have had two years' experience in Chinese warfare, and any one who has been long in China will bear me out in the assertion that nothing but the conclusive evidence of irresistible force will ever fully satisfy the Imperial Government. I consider, therefore, as stated in my despatch reporting the operations

at the Peiho, that the Chinese having been allowed time to fortify their position, and being confident of their strength, the capture of the forts under such circumstances would have a greater moral effect on the Imperial Government, than if we had attacked them when less prepared. Subsequent events fully bore out my opinion. It was ascertained that guns from Tien-tsin, and even from Peking, had been conveyed to the forts at Takoo, and that all the available military force was also assembled there. At one blow, therefore, the whole of their guns were captured, and their army driven like a scattered rabble into the surrounding country, to spread everywhere the reports of our invincibility, and the destructive and terrific missiles we made use of. To this brilliant and complete success I attribute our total exemption from annoyance whilst at Tien-tsin, and the conclusion of a treaty within a month after, which may be said to open the whole of China to the world, and which may in a few years develop a field for commercial enterprise of which we have at present no conception.

"On my arrival off the Rugged Islands, I only remained a sufficient time to send off despatches to England, and hurried off to the Gulf of Pechili, where I arrived on the 24th April, and found that Lord Elgin had the same morning, before my arrival, sent in his ultimatum to the Chinese Viceroy Tan, who had arrived at Takoo, though, as already remarked, his lordship had admitted that he had not sufficient force to make any 'onward movement in advance.' Lord Elgin should in candour have added, these ships bring with them a body of 600 trained seamen and marines, six large boats mounting guns, and peculiarly adapted for river service, and a large supply of provisions, stores, clothing, and money for the squadron; and that the *Coromandel*, besides her armament of five guns, possesses, in her roomy decks, a desirable shelter for troops, and draws only eight feet water. The five gun-boats alluded to arrived ready for service on the 9th and 10th May, in company with the *Hesper*, and, with the force already in hand, proved more than sufficient for the service required. So far from the climate being unfavourable to Europeans, there was not one death from sickness in the whole British force in the Peiho, from the 20th May to the 7th July. Indeed, I may say, that, notwithstanding the men were for the first fortnight constantly in boats, there was hardly a case of sickness, as reported in my despatches. Lord Elgin is in error in stating that I promised a large fleet, especially of gun-boats, to be in the Gulf of Pechili at the end of March. I engaged that an adequate force should be at Shanghai at the end of March, or as soon after as convenient. It is utterly impossible to move a force of gun-boats up a stormy coast with the precision of a railway train; and though his lordship makes so light of the monsoon, and suggests towing the gun-boats up the coast by paddle steamers, I can assure their lordships that while the *Calcutta* was making her voyage to the north, the most powerful merchant steamer in China, of 400 horse power, was obliged to bear up within 40 miles of the Yang-tse-kiang, and run back to Foochow, a distance of 200 miles, from stress of weather. My arrangements for getting the gun-boats up to the north, were made with the view to see them arrive in an efficient state, and not torn to pieces by being towed against a head sea, an object I fully accomplished, by causing them to coast the shores, and anchor in bad weather. The *Fury*, the fastest steamer under my orders, did tow two guns-boats from Shanghai to the Gulf of Pechili, but there was no advantage gained, as the gun-boats which came up under sail made the passage in the same time. Lord Elgin

compares the powerfully-built and full rigged French gun-boats, and the 80 horse power gun-boat *Slaney*, with our small ones of 60-horse power. I leave that for their lordships' decision."

In acknowledging the receipt of this answer, the Admiralty enclosed to Rear-Admiral Sir M. Seymour copy of a letter to the Secretary of the Foreign Office, in which they stated their opinion that the such answer to the charges and imputations of Lord Elgin was complete and satisfactory.

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#### ARMY, MARINES, MILITIA.

*Return of the Expenses incurred on account of the Disembodied Militia, Volunteers, Embodied Militia, Recruits, &c.* (Earl de Grey.) 8th June, 1860. (1574.)

The expense incurred on account of the disembodied militia from 1852 to 1859 was as follows:—In 1852–3, 247,307*l.*; 1853–4, 348,128*l.*; 1854–5, 334,575*l.*; 1855–6, 40,637*l.*; 1856–7, 215,542*l.*; 1857–8, 282,397*l.*; and 1858–9, 346,111*l.* In 1852, there were enrolled in the militia 41,626 volunteers; the number attended at annual training was 23,018, and the number deserted, 1,903. In 1853, the number enrolled was 35,813; The number attended at training, 46,630; the number deserted, 8,616. In 1854, the number enrolled was 35,014; number attended, 51,125; number deserted, 16,609. In 1855, number enrolled, 72,069; number attended, 30,707; number deserted, 12,132. In 1856, the number enrolled, 28,247; number attended, 23,856; and number deserted, 4,391. In 1857, the number enrolled was 36,702; number attended, 21,560; and number deserted, 13,865. In 1858, the number enrolled was 27,507; number attended at training, 40,076; and the number deserted, 26,166. In 1859, the number enrolled, 26,704; number attended, 47,157; number deserted, 9,402. Total enrolled, 303,682; total attended at training, 284,129; total deserted, 93,174.

The total expense incurred for the embodied militia was as follows:—In 1854, the average strength was 10,054; total expense, 919,855*l.* In 1855, average strength, 61,051; total expense, 2,947,269*l.* In 1856, average strength, 46,036; total expense, 1,066,042*l.* In 1857, average strength, 19,828; total expense, 731,368*l.* In 1858, average strength, 23,489; total expense, 932,449*l.* In 1859, the average strength was 20,075. The average annual cost of 1,000 rank and file of the infantry of the line serving in Great Britain and Ireland, including in the calculation the pay of officers and non-commissioned officers, clothing, commissariat charges and allowances; but excluding the cost of providing arms and quarters, is 40,049*l.* 10*s.* The total number of recruits furnished by the militia to the regular army in 1854 was 9,911; in 1855, 17,864; in 1856, 10,796; in 1857, 5,742; in 1858, 16,314; in 1859, 5,695. To the Royal Marines in 1854, 1,247; in 1855, 979; in 1856, 622; in 1857, 167; in 1858, 536; and in 1859, 1669. The number of recruits obtained for the regular army and marine of men not belonging to the militia was—in the regular army in 1854, 28,900; in 1855, 27,243; in 1856, 4,376; in 1857, 23,250; in 1858, 35,978; for the Royal Marines in 1854, 2,609; in 1855, 1,799; in 1856, 1,043; in 1857, 973; in 1858, 1,124. The effective strength of the army was on the 1st May, 1854, 134,444; 1855, 152,028; 1856, 180,464; 1857, 147,745; 1858, 172,464; and 1859, 193,746.

## INDIAN RAILWAYS.

*Report on Railways in India to the end of the Year 1859.*

Two private associations, under the designation of the "East Indian" and the "Great Indian Peninsula" Railway Companies, were formed in the year 1845, but the projectors found it impossible to raise the necessary funds for their proposed schemes, without the assistance of Government. The application for this assistance led to a protracted discussion, which ended in the determination of the late court of directors of the East India Company to grant pecuniary assistance, in the shape of guaranteeing interest upon the railway capital. Railways are, accordingly, being constructed in India under what is popularly termed the "guarantee" system, i. e., through the instrumentality of companies, who receive from the Government the guarantee of a certain rate of interest upon the capital expended, with the approval of Government, upon their undertakings. The direct pecuniary interest which, under this arrangement, the Government have in the success of each railway, involved the necessity of some supervision and control, which is provided for in the contracts with the several companies. The land required for the railway and works connected therewith is also given to the companies, free of expense, by the Government.

The principal conditions of the contracts entered into by the railway companies and the Government are as follows:—The guarantee, which is for a term of ninety-nine years, applies to all monies paid into the Government treasury, and expended with the sanction and approval of the Government. When the capital account, which consists of expenditure so sanctioned, is closed, such portion of the subscribed capital as shall not have been required for the purposes of the undertakings is to be returned to the companies. The railway companies repay the amount advanced by Government on account of the guarantee from the profits of the railways, and the following arrangement is made for the application of those profits. The net receipts from the railways are paid into the Government treasury. If they amount to less than the sum due for guaranteed interest, such an addition is made to them from the revenues of India as makes up that sum; if they amount to more, half the excess is added to the dividend of the shareholders, and the other half is applied to the repayment of the sums previously paid by Government on account of guaranteed interest; if the receipts should not reach the amount paid for working and maintaining the railway, the deficiency is chargeable against the guaranteed interest. If at any time the whole of the monies paid by the Government for interest (with simple interest thereon) shall have been repaid and discharged, the companies are entitled, so long as this is the case, to the whole of the profits. For example, if the railway, upon completion, yields a net profit of 4 per cent., the Government would have to add 1 per cent. (supposing the guarantee to be 5 per cent.) to make up the rate of interest guaranteed; if it yields a profit of 7 per cent., the Government would then pay nothing, but would receive 1 per cent., and the remaining 6 per cent. would be paid as dividend to the shareholders; and when, by this process, the whole of the sums previously advanced by Government (with interest) is repaid, the shareholders would receive a dividend of 7 per cent. If, on the other hand, the following should be the result of a year's traffic operations, viz., that the working expenses were 100,000*l.*, and the receipts only 90,000*l.*,

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10,000*l.* of the sum paid by Government on account of the guaranteed interest would go to make up the deficiency, and the dividend to shareholders would be rateably reduced.

The railway companies have the power of surrendering the works at any time after any portion of the line has been opened for a period of three months, upon giving six months' notice to the Government, who would have to repay the whole amount that has been expended, with their sanction, on the undertaking. Government has the power, within six months after the expiration of twenty-five or fifty years respectively from the date of the contracts, of purchasing the railway at the mean market value in London of the shares during the three previous years. Government is entitled, in the event of the railway companies failing to complete the railroads, or to work them satisfactorily, to take possession of them, repaying, within six months, the sums which have been properly expended. At the expiration of ninety-nine years the land reverts to Government, and, if the railway companies have not availed themselves of the power of surrendering before that period arrives, the works also lapse to the Government, who would have to purchase the stock of engines, carriages, &c., at a valuation. In any case in which, under these provisions, the Government becomes bound to repay the capital, or to purchase the railway, works and stock, it can, instead of paying the gross sum, declare its option to pay an annuity, to be reckoned from the time when the gross payment would be payable, and to continue during the residue of the ninety-nine years, the rate of interest used in calculating such annuity being determined by the average rate of interest during the preceding two years received in London upon securities of the Indian Government.

It is not, perhaps, necessary to explain the grounds upon which this system of assistance was made, further than by observing that, as it was decided that private enterprise and capital should be employed on the introduction of railways in India, the Government was obliged to grant the aid requisite to bring that agency into force. Having given such assistance, it was necessary that Government should make arrangements for protecting its own interests, and for providing against the ill effects of failure on the part of the railway companies to carry out their undertakings. Hence, in addition to the powers above described, that of supervising the expenditure and all proceedings of the companies (with the exception of communications with their law officers), as well as the right of selecting the line, was reserved to Government. The supervision is exercised by the Government both in this country and in India. An official director is appointed, who attends each board of the railway companies in London, and possesses, under the deed of contract, a power of veto on all the proceedings of the directors. This power has never yet been put into force, a circumstance which a Parliamentary committee on Indian railways attributed to "the judgment and discretion exercised by the official director on all occasions, and to the respect shown to his opinion." The office is filled by Sir James C. Melvill, K.C.B. At the same time, questions involving expenditure, which have not been considered by the local governments in India, and all matters of importance, are referred to the Secretary of State for India in Council, with whom also the financial arrangements of the companies are made.

The supervision in India is exercised by the Government, principally through officers appointed for the purpose, the following rules having been

established with the view of preventing delay and collision:—1st. All questions of general importance shall be referred to Government for decision. 2nd. Under the above will be included the general direction of all lines of railway, the position of stations, the general arrangements of the more important stations and works; but after the general sanction of the Government has been given to any project, all questions of detail may be disposed of, within the limit of the original sanction, by the consulting engineer. 3rd. All matters of routine, or payments, or acts in accordance with rule, precedent, or special agreement duly sanctioned, or undisputed contingent expenditure, may be dealt with by the consulting engineer without reference to Government. 4th. All designs, estimates, and indents, whether for works or for establishments, for carrying into effect objects already generally sanctioned by Government, may also be disposed of finally by the consulting engineer. 5th. The consulting engineer may, without reference to Government, reduce the amounts of indents, or direct designs or proposed operations to be modified, if he thinks it necessary; but the agent in such cases, if dissatisfied with the decision of the consulting engineer, may always request that the matter may be referred for the final orders of the Government. 6th. In all cases in which the consulting engineer has any doubt as to the decision to which he should come, the question should be referred to the Government for orders. 7th. When the sanction of the consulting engineer is given to any proposals of the agent, in which both of these officers concur, excepting in those matters of great importance specially excepted above, the sanction so given shall, so far as the Government is concerned, be considered final. 8th. The consulting engineer shall submit to the secretary of the Government a weekly schedule of his proceedings, in the usual form, in which shall be explained concisely the nature of all sanctions or directions given under the authority now granted to him. These powers have since been conferred upon every chief Government railway officer in each of the local administrations.

With regard to the regulation of fares, they are, in the first instance, fixed with the approval of Government, and alterations in them can only be made by the railway companies with the concurrence of the same authority. In the event of the profits exceeding 10 per cent., the Government can order a reduction in the rates, but not to such an extent as to bring the net receipts below 10 per cent. upon the capital expended. The railway companies are also bound, under the contracts, to convey the mails and Post Office servants free of charge, to take military officers in first-class carriages at second-class fares; and soldiers, when on duty, in second-class carriages at the lowest fares; also horses, guns, waggons, and military stores, &c., at the lowest rate for the time being chargeable for the carriage of such animals, goods, &c. As a rule, the roads are constructed, in the first instance, for a single line of rails, the bridges, tunnels, and cuttings being made suitable for a second line. The gauge of all the railways is required by Government to be five feet six inches, which was considered best calculated to embrace the twofold advantages of economy and speed. Arrangements have also been made for preserving uniformity in all points where it is desirable, such as the distance between tracks, height of over openings above rails, breadth of buffers, size of passenger carriages, &c.

Before proceeding to give a separate account of each undertaking, I would advert briefly to the complaints which have been made of the delay in the commencement and construction of these works. So much import-

ance was attached to these allegations, that a Committee of the House of Commons was appointed in 1858 "to inquire into the causes that have led to the delay." The Committee sat from the 3rd May to the 8th July. They classified the causes of delays into four distinct heads, viz : 1st. Those arising from Government supervision at home and in India. 2nd. Those incidental to the execution of extensive and complicated public works, under such circumstances, in a distant country. 3rd. Those produced by political causes, such as insurrection and mutiny. 4th. Those arising from the natural difficulties which the face of the country presents. The Committee came to the conclusion that "though some cases have been cited in which the Government superintendence has been productive of vexation and annoyance to the railway officials, no very material delay in the construction of the various lines appears to have resulted therefrom." They believed "that the progress of railroads under construction in India will bear favourable comparison with that of English lines." They considered that the main impediments to progress consisted in the necessity of transporting the materials from this country, the difficulties of conveying them to their destination when they reached India, the effect of the climate upon European constitutions, the failure of contractors, and the lengthy correspondence between the directors in London, and their agents in India, and the various Government departments. They showed that the Sonthal rebellion in 1855, and the subsequent mutiny, were productive of most serious delays; and that the natural features of the country present formidable difficulties, and involve the construction of vast works, which necessarily postponed the completion of the whole lines.

In conclusion, they stated, "your Committee are of opinion, first, that the Government has acted wisely in committing to private enterprise the execution of these great public works; secondly, that a guaranteed interest on the requisite capital was indispensable, to induce the public to invest their money in undertakings of this magnitude and novelty; and thirdly, that, in order to protect the Indian revenue from undue expenditure, Government control over the railway operations is requisite, and even valuable to the interests of the shareholders themselves. At the same time, your Committee would observe that, under a system complicated in its character, and necessarily somewhat cumbrous in its machinery, a system, moreover, the greatest defect of which is the facility it affords for the evasion of responsibility, a clear and distinct definition of the duties, responsibilities, and extent of jurisdiction of all heads of departments, and those under them, is essentially requisite for its smooth and successful working; always assuming that due care be taken to intrust discretionary power only to men who are to be relied on as competent to distinguish an effective general control from too minute an interference in details. By a judicious adherence to the spirit rather than the letter of the contract, your Committee feel assured that arrangements may be simplified, united action for one common object secured, and railway enterprise in India may before long assume proportions commensurate with the vast commercial, agricultural, and mineral resources of that country."

I now propose—1st. To describe each undertaking and its objects separately; 2ndly. To exhibit the results of the traffic on those sections which have been worked; 3rdly. To show the financial position of the railway companies and the Government in respect to them; and, 4thly. To take a general view of the prospects of these undertakings.

## EAST INDIAN RAILWAY.

The East Indian Railway embraces a line from Calcutta to Delhi, with branches to Raneegeunge, the Barrackur River, and the Singarron Valley, and a line from Allahabad to Jubbulpore, where it joins the trans-peninsula line from Bombay. Its whole length is 1,338 miles, being 1,138 miles to Delhi, including branches, and about 200 miles for the Jubbulpore line. The main line, after starting from the right bank of the Hooghly at Calcutta, proceeds in a westerly direction to Burdwan, and then on to Rajmahal. From this place to Allahabad it follows the course of the Ganges, in some places touching its right bank, and in others running at a distance of seven or eight miles from it. At Allahabad, where the Ganges and Jumna join, the line crosses the latter river, and then proceeds along the right bank of the former to Cawnpore, where it strikes across the Dooab to within twenty miles of Agra, which place is connected with the main line by a branch. It then proceeds to Allyghur, a town in the centre of the Dooab, and on to its terminus at Delhi. At this point a bridge will be constructed to connect the East Indian with the Punjaub line. The object of the main line is to provide a great highway, for political and commercial purposes, from the capital of the empire to its North-Western Provinces. The line to Raneegeunge, which branches off at Burdwan, was constructed with the view affording a ready means for the conveyance to Calcutta of the coal which abounds in the neighbourhood, as well as to assist in the development of the mineral resources of the whole of the district. The line to Jubbulpore strikes off at Allahabad and forms a junction with the Great Indian Peninsula Railway, thereby connecting Bombay with Calcutta and Delhi.

The cost of the portions which have been finished is calculated at about 3,700,500*l.*, viz.: Bengal portion, 2,314,500*l.*; North-West portion, 1,386,000*l.*. The capital required for the whole undertaking, including the Jubbulpore line, is estimated at 19,000,000*l.*, but, until more accurate estimates are received from India, authority has only been given for raising 14,000,000*l.* Of this, 11,808,480*l.* had been spent on the 31st December last, and 1,803,182*l.* remained in the treasury of this office, leaving 383,338*l.* to be raised. Of the sum already subscribed, 13,372,644*l.* was raised in England, and 239,213*l.* in India. On the 31st December last there were 5,857 shareholders, of whom 2,672 were holders of stock or shares of the value of 1,000*l.* and upwards. The expenditure in England for materials, &c., has been 4,293,205*l.*, and in India, for construction, 7,515,275*l.* The number of miles open was 292½, and the length to be finished, 1,050.

Before leaving the question of cost, it is, perhaps, right to allude to the effects of the mutiny upon the operations of the railway company. It has been calculated that, after taking into consideration the destruction of the works which took place, the delay in their construction, and the enhancement of the price of labour and material which followed the mutiny, 3,000,000*l.* will have been added to the total cost of the railway by that event.

The materials supplied from England consist of iron rails, sleepers, girders for bridges, locomotives, and other rolling stock, turntables, machinery, &c. The tonnage engaged in each year for the conveyance to India of these articles was as follows:—1850-54, 40,000 tons; 1855,



58,000 tons; 1856, 65,000 tons; 1857, 48,000 tons; 1858, 35,126 tons; and 1859, 32,094 tons. In the case of this company, the first opportunity which Government will have, under clause 23 of the contract, of purchasing the railway at its market value will be in February, 1874, as regards the line to Delhi; and in April, 1883, as regards the line to Jubbulpore. The existing fares are:—Passengers—first class,  $2\frac{1}{4}d.$  per mile; second class,  $1\frac{1}{4}d.$ ; and third class,  $1d.$  per mile. Goods—first class,  $\frac{1}{3}$  of a pie per maund (82 lbs.); second class,  $\frac{1}{2}$  of a pie; third class,  $\frac{2}{3}$  of a pie per maund; 4th class, 1 pie; and 5th class, 2 pies per maund.

The amount paid by Government on account of guaranteed interest, in each official year (ending 30th April), was as follows:—1849-50, 5,601*l.* 17*s.* 1*d.*; 1850-51, 17,471*l.* 2*s.* 10*d.*; 1851-52, 37,184*l.* 14*s.* 7*d.*; 1852-53, 45,233*l.* 14*s.* 4*d.*; 1853-54, 52,071*l.* 10*s.* 4*d.*; 1854-55, 88,884*l.* 3*s.* 1*d.*; 1855-56, 195,730*l.* 0*s.* 2*d.*; 1856-57, 297,390*l.* 3*s.* 7*d.*; 1857-58, 354,510*l.* 14*s.* 5*d.*; 1858-59, 433,967*l.* 17*s.* 11*d.*: total, 1,528,045*l.* 18*s.* 4*d.*

The net profits paid by the railway company to 30th June, 1859, is 325,405*l.* 3*s.* 4*d.*, viz.:—1855, 10,631*l.* 1*s.* 7*d.*; 1856, 48,412*l.* 14*s.* 6*d.*; 1857, 69,484*l.* 3*s.* 7*d.*; 1858, 87,724*l.* 19*s.* 4*d.*; 1859, 109,403*l.* 17*s.* 5*d.*: total, 325,656*l.* 16*s.* 5*d.*

#### GREAT INDIAN PENINSULA RAILWAY.

The Great Indian Peninsula Railway commences in the island of Bombay, and proceeds inland a distance of thirty-three miles to the town of Callian, where it branches off in north-easterly and south-easterly directions. The first line is carried over the Thull Ghat to Asseerghur, and by the valley of the Nerbudda to Jubbulpore, where it joins the Allahabad line of the East Indian Railway. The second is taken over the Bhore Ghat to Poonah, and on by Sholapore towards Madras, the line from which place joins it in the Raichore Doab. There is an important branch which diverges from the north-east main line at Bhosawul, near Nusseerabad, and passes through the great cotton district of Oomrawuttee to Nagpore. There is also a small branch of one mile and three-quarters, close to Bombay, connecting that town with Mahim; and a temporary one, of seven miles length, from Padusdhurree, where the old main line commences the ascent of the Bhore Ghat, to Campoolie, a village on the old road from Bombay to Poonah.

The entire length of these lines is 1,266 miles, being  $34\frac{1}{4}$  miles from Bombay to Callian and branch to Mahim,  $572\frac{1}{4}$  miles from Callian to Jubbulpore, 389 miles from Callian to junction with Madras line, 263 miles from Nagpore branch,  $7\frac{1}{4}$  miles from Campoolie branch. The objects of this undertaking are to assist in establishing a permanent and speedy means of communication, for political and commercial purposes, between the three presidency towns, and to connect the great cotton-growing districts of Central India with the seaport of Bombay.

The total cost of the undertaking is estimated at 12,000,000*l.*; of this 5,641,634*l.* had been raised on the 31st of December last, 5,308,334*l.* by shares, and 333,300*l.* by debentures, upon the whole of which five per cent. has been guaranteed. The amount raised in this country was 5,298,044*l.*; in India, 343,590*l.* The number of shareholders on the 31st of December, was 3,860, of whom 1,660 held shares or stock of more than 1,000*l.* value. The expenditure of the company, up to the 31st of December, has been 4,915,943*l.*, of which 2,510,850*l.* was spent in this country, and 2,405,093*l.*

in India. The extent open was  $245\frac{1}{2}$  miles. The first period at which Government can exercise its right of purchase will be in August, 1874.

The amount of tonnage engaged by the company in each year from the commencement of its operations was as follows:—1850, 927 tons; 1851, 6,584 tons; 1852, 4,925 tons; 1853, 6,132 tons; 1854, 3,850 tons; 1855, 12,870 tons; 1856, 26,668 tons; 1857, 33,117 tons; 1858, 63,032 tons; 1859, 50,228 tons. The existing fares are:—Passengers—first class,  $1\frac{1}{2}$  annas, or  $2\frac{1}{4}d.$  per mile; second class, 6 pies, or  $\frac{3}{4}d.$  per mile; third class, 3 pies, or  $\frac{3}{8}d.$  per mile. Or from Bombay to Tannah, a distance of about  $20\frac{1}{2}$  miles:—first class, 1 r. 10 an. 6 p., or rather less than 2s.; second class, 10 an. 6 p., or about 1s. 4d.; third class, 5 an. 3 p., or about 8d. Goods:—first class, 10 pies, or  $1\frac{1}{2}d.$  per ton per mile; second class, 14 pies, or  $1\frac{3}{4}d.$  per ton per mile; third class, 18 pies, or  $2\frac{1}{4}d.$  per ton per mile; fourth class, 22 pies, or  $2\frac{3}{4}d.$  per ton per mile; fifth class, 30 pies, or  $3\frac{3}{4}d.$  per ton per mile.

The amount paid by this company, in liquidation of the Government guarantee, up to the 31st of December last, was 181,698*l.* 7*s.* 9*d.*, being in the year ending 30th of June, 1854, 7,122*l.* 4*s.* 2*d.*; 1855, 3,771*l.* 12*s.* 7*d.*; 1856, 11,413*l.* 14*s.*; 1857, 33,823*l.* 16*s.* 1*d.*; 1858, 42,561*l.* 16*s.* 8*d.*; 1859, 83,005*l.* 4*s.* 3*d.*: total, 181,698*l.* 7*s.* 9*d.*

The amount of guaranteed interest received by the company in each year, on capital raised in England and in India, was:—England, 567,996*l.*; India, 76,908*l.*: total, 644,904*l.*

#### MADRAS RAILWAY.

The Madras Railway commences at Madras, and proceeds in a westerly direction as far as a place called Arconum, where it bifurcates, one line taking a south-westerly direction; and terminating at Beypore on the western coast, the other proceeding in a north-westerly direction, through Cuddapah and Bellary, and ultimately joining the railway from Bombay. Two branches strike off from the South-Western line, viz., one to Bangalore and another to the foot of the Neilgherries. These lines were sanctioned chiefly with the view of developing the resources of this part of the country, and of securing those political and social advantages which may be expected from the connection with the Presidency of two such important military and sanatorial stations as Bangalore and Ootacamund. The North-West line forms a part of that system of railways which was designed to connect the seats of the Governments of the three presidencies, and is intended to answer important commercial purposes, by affording a ready means of transit for the produce of the Cuddapah and Bellary provinces.

The length of these several lines is as under:—Madras to Beypore, 405 miles; Bangalore branch, 85 miles; branch to the Neilgherry Hills, 30 miles; Arconum to Cuddapah, 122 miles; Cuddapah to Bellary, 149 miles; Bellary to the point junction with the line from Bombay, 59 miles: total, 850 miles.

The Madras Railway Company was established by a deed of settlement, bearing date the 26th of July, 1852, and was incorporated in 1853 by an Act of Parliament, 16 Vict. c. 46. The first contract between the Government and the railway company, which is dated 22nd of December, 1852, was for the construction of an experimental line, at an estimated cost of 500,000*l.*, to commence at or near Madras, and to take a direction towards the western coast. The line selected by the local Government was from

Madras to Menil, fifty miles in length, and the first sod was turned on the 9th of June, 1853. Before much progress was made, it was agreed that the line should be extended to the western coast, and a contract for the purpose was executed in December, 1855. A further contract for the construction of the North-West line was entered into in August, 1858.

The estimated amount of capital required to complete the works is 8,500,000*l*. Of the sum (5,000,000*l*.) which has been already authorized, 3,898,427*l*. (including 347,900*l*. raised by means of debentures), the whole of which has been subscribed in England, was paid up on the 31st of December. Half a million of share capital has been issued at a guaranteed interest at 4½ per cent., one million at 4¼ per cent., and the remainder at 5 per cent., which latter rate is that guaranteed for loans on debentures. On the 31st of December last, the capital was held by 2,056 shareholders, of whom 1,033 were holders of stock or shares above the value of 1,000*l*. The expenditure in England for materials, management, &c., from the commencement to the 31st of December last, has been 1,505,462*l*.; and in India, for construction, 2,292,989*l*. The length open was 96 miles.

The materials supplied from England are similar to those set out by the East Indian Railway Company. The tonnage engaged in each year for their conveyance was as follows:—1853, 1,415 tons; 1854, 13,367 tons; 1855, 40,772 tons; 1856, 23,727 tons; 1857, 5,877 tons; 1858, 13,989 tons; 1859, 37,407 tons.

In the case of this company, the first opportunity which the Government will have of purchasing the railway at the market value of the shares will be, so far as the line to the western coast is concerned, in December, 1880, and as regards the line to Bellary, in August, 1883. The amount paid by Government on account of guaranteed interest is 391,735*l*. The precise sum paid by the railway in liquidation of the Government claim on account of guaranteed interest cannot as yet be given, as certain charges remain to be adjusted; but up to 30th of June, 1859, it probably amounted in round numbers to 46,500*l*.

The rates and fares at present in use are:—Passengers—first class, 1 anna, or 1½*d*. per mile, second class, 6 pies, or ¾*d*. per mile; third class, 2 pies, or ¼*d*. per mile. Goods—first class, 8 pies, or 1*d*. per ton per mile; second class, 10 pies, or 1¼*d*. per ton per mile; third class, 1 anna, or 1½*d*. per ton per mile.

#### SIND RAILWAY COMPANY.

The Sind Railway Company was formed, by a deed of settlement dated March, 1855, for the purpose of constructing railways in India, and, in particular, one from the seaport of Kurrachee to a point on the Indus, at or near Hyderabad. The company was subsequently incorporated by an Act of Parliament in July, 1855, and on the 26th December of the same year they entered into a contract with the East India Company for the construction of the line indicated above.

The line in Sind proceeds from Kurrachee to Kotree on the Indus, opposite to Hyderabad. Its length, including a branch to Ghizree Bunder, is 114 miles. The most important works are bridges and viaducts, of which there are several of considerable size, that over the Bahrum river being 600 yards in length; the next largest (560 yards) is that over the Mulleer. Other works of magnitude are, an embankment across a valley

at Dorbejee, required to protect the line from the effects of inundation, and the wharf and steam ferry at Kotree.

A capital of 1,000,000*l.*, which was estimated to be required for the line, has been sanctioned on a guaranteed interest of 5 per cent. per annum. 914,787*l.* of this capital had been paid into the Government treasury on the 31st of December, leaving 85,213*l.* still to be raised. The expenditure in England for materials, freight, and management has been 554,985*l.*, and in India 328,801*l.* on construction. The amount in the hands of the Government to the credit of the railway company on the 31st of December was 31,001*l.* Of the paid up capital, 894,340*l.* has been subscribed in England, and 20,447*l.* in India; and on the 31st of December this was held by 619 proprietors, of whom 328 possessed shares to the value of 1,000*l.* and upwards.

The tonnage engaged in each year for the conveyance of materials has been—1856, 8,225 tons; 1857, 19,742 tons; 1858, 16,385 tons; 1859, 26,469 tons.

Government will not be in a position to exercise the power reserved to it by the twenty-second clause of the contract, of purchasing the line at its market value, before the close of the year 1880.

*Punjab Railway (Moultan and Umritser Line).*—The line selected, in accordance with the terms of the contract of March, 1859, viz. from Moultan to Lahore and Umritser, is 250 miles in length. It is carried by the low water-shed of the Dooab (between the Ravee and Sutlej), and presents very favourable gradients. For sections of 30, 40, and 100 miles respectively the line keeps a straight course. There are several water-courses to be crossed, but, with the exception of a few near Moultan, the necessary works are mere culverts.

The amount required for completing the railway will probably be two millions. Capital to the extent of 1,500,000*l.* has been issued, at a guaranteed interest of 5 per cent. Of this sum, 506,945*l.* had been paid into the Government treasury on the 31st December, leaving 993,055*l.* still to be raised. In England, the expenditure for materials, freight, and management, has amounted to 164,419*l.*; in India, about 80,000*l.* has been expended on the works; leaving a balance standing to the credit of the railway company of 262,546*l.* The above capital has been subscribed in England, with the exception of 559 shares held by 21 shareholders in India. On the 31st December, the capital was held by 700 shareholders, of whom 402 were holders of stock or shares of the value of 1,000*l.* and upwards. The freight engaged for the conveyance of the materials to India has been 12,293 tons, all of which was taken up in the year 1859. The first opportunity which Government will have of purchasing the railway at its market value, under clause 22 of the contract, will be in 1884.

*Punjab Railway (Delhi Line).*—On the 27th January, 1859, in accordance with the recommendation of the Government of India, the construction of a line to connect the Punjab with Delhi was granted to the Scinde and Punjab Railway Company, with 5 per cent. guaranteed on the requisite capital, on the usual terms. Engineers have been already engaged in surveying two routes, one from Lahore *via* Ferozepore, and the other from Umritser *via* Loodianna and Umballa, along the line of the Grand Trunk Road. It is expected that the detailed plans and estimates of the route approved by Government will shortly arrive in England.

*Indus Steam Flotilla.*—The fleet sanctioned for this undertaking consists of fifty-three vessels, viz. : seven passenger steamers, six towing steamers, thirty-three cargo barges, and seven accommodation flats. The boat recommended by a commission appointed in 1857 to consider the best description of vessel suited to the navigation of shallow Indian rivers, has been adopted, with slight modifications, to meet the requirements of the service. The dimensions of the passenger steamers are:—Length, 200 feet; breadth, 38 feet; depth, 6 feet; draught, 2 feet. The whole of these vessels have been built under contract, and the following have arrived at Kurrachee:—One passenger steam-vessel, six towing steamers, twenty-five cargo barges. The remainder are in course of delivery, and it is expected that the traffic will commence before the close of the present year. One steamer of each class was built and tested, to the satisfaction of the directors in England, before contracts for the remainder were entered into.

The capital authorized for the undertaking, and upon which 5 per cent. interest has been guaranteed, is 250,000*l*. The whole of this had been subscribed for, and 249,140*l*. lodged in the Government treasury on the 31st December, leaving 860*l*. still to be paid up. It has all been subscribed in this country. The expenditure in England, on materials, freight, and management, amounted to 158,654*l*.; in India, to 5,925*l*.; leaving a balance standing to the company's credit, on the 31st December, of 84,561*l*. The capital is held by 289 shareholders, of whom 89 are holders of shares of the value of 1,000*l*. and upward.

The earliest period at which Government can purchase the concern, under clause 22 of the contract, will be in 1884.

The tonnage engaged during the past year for the conveyance of steamers and stores to India has been 1,843 tons.

#### BOMBAY, BARODA, AND CENTRAL INDIA RAILWAY.

This railway commences at Bombay, and proceeds in a northerly direction, through Surat and Broach, to Baroda, where it branches off to Ahmedabad. The whole distance is 309½ miles, being from Bombay to Baroda 245½ miles, from Baroda to Ahmedabad 64 miles. The object of the line is to connect Bombay with the cotton districts of Guzerat; but the projectors of the undertaking, when it was originally proposed, contemplated the construction of a line from Bombay, *via* Surat and Baroda, to Agra, with a branch from Surat through the Taptee Valley, to join the East Indian Railway at or near to Agra or Delhi. In consequence of doubts existing as to the best route for the section between Bombay and Surat, the railway company were required to commence their operations from the latter place, and to work up to Baroda and Ahmedabad. This portion was sanctioned in April, 1855; the remainder of the line to Bombay not until April, 1858. The company was incorporated by Act of Parliament in July, 1855, and in November, 1855, they entered into a contract with the East India Company.

The total cost of the line sanctioned is estimated at 2,500,000*l*., or about 7,400*l*. per mile. On the 31st December last, the company had raised 1,503,965*l*., of which 891,032*l*. had been spent in England, and 573,799*l*. in India, leaving a balance of 39,134*l*. in the treasury of this office. Of the above amount, 1,485,923*l*. was raised in this country, and 18,042*l*. in

**India.** On the 31st December last, the capital was divided among 906 proprietors, of whom 356 were holders of stock or shares of more than 1,000*l.* value.

The tonnage engaged in each year since the commencement of operations, for the conveyance of the materials to India, has been as follows:—1856, 3,215 tons; 1857, 16,367 tons; 1858, 19,313 tons; 1859, 31,075 tons. The first opportunity which Government will have, under the existing contracts, of purchasing the railway, will be in November, 1880.

#### EASTERN BENGAL RAILWAY.

The Eastern Bengal Railway Company was formed in 1857, for the purpose of affording railway accommodation to the districts lying north and east of Calcutta. The line sanctioned is from Calcutta to Kooshtee on the Ganges, opposite Pubnah, where it will intercept the large traffic proceeding downwards. It will also enable merchants to send up their goods from Calcutta without encountering the dangers and delays of the navigation of the Soonderbunda. It is intended eventually to carry the railway to Serajunge and Dacca; and, upon the strong recommendation of the Government of India, the immediate prosecution of the surveys has recently been sanctioned, and they are now being proceeded with. The districts traversed are rich in agricultural produce, which consists of indigo, sugar, oil-seeds, rice, and other grain; and they are thickly populated, containing upwards of 500 inhabitants to the square mile.

The construction of the railway, and the provision of the necessary rolling stock, have been entrusted to a firm of well known contractors, consisting of Messrs. Brassey, Sir Joseph Paxton, and Wythes, who have engaged to complete the line, and furnish the requisite stock, for 1,045,000*l.* This is exclusive of the cost of rails and chairs, which are to be provided by the railway company. The works were commenced on the 16th April, 1859, and by the last accounts they were proceeding satisfactorily. Under the terms of the contract with Messrs. Brassey and Co., the line should be completed by 30th April, 1861. The amount of capital paid into the Government treasury by the railway company to the 31st December last, in England and in India, was 427,458*l.*, leaving 572,542*l.* still to be raised. Of the above sum, 424,773*l.* was subscribed in this country, and 2,685*l.* in India. The capital subscribed in this country was held by 425 shareholders, of whom 113 held shares of the value of 1,000*l.* and upwards. The capital raised in India was held by 31 shareholders, none of whom held shares of the value of 1,000*l.* The expenditure of the company to the 31st December was, in England, for management, materials, and freight, 130,219*l.*; in India, for construction, 46,481*l.*; making a total of 176,700*l.*, and leaving a balance of 250,758*l.* standing to the credit of the railway company in the hands of Government. The freight engaged by the contractors to the 31st December was 12,569 tons. The date at which Government can first exercise its right of purchase will be in August, 1883. It is possible that the operations of this company may not be confined to those above described, for it has been decided, in accordance with the recommendation of the Government of India, that, should a line to Darjeeling be at any time sanctioned on the guarantee system, they shall be entrusted with its execution.

## GREAT SOUTHERN OF INDIA RAILWAY.

The Great Southern of India Railway Company was constituted in 1857, by articles of association under the "Joint Stock Companies Act, 1856," for the purpose of constructing and working railways in the Southern Provinces in India, and was incorporated by Act of Parliament in 1858. The lines included in the undertaking are from Negapatam to Trichinopoly, with extensions north to a point on the Madras Railway (probably in the neighbourhood of Errode) and south to Madura and Tuticorin. The only portion of this work the construction which has at present been sanctioned is the line from Negapatam on the coast to Trichinopoly. For the execution of this section, a contract was entered into between the East India Company and the railway company on the 1st September, 1858. A guarantee of interest at the rate of 5 per cent. has been granted on the requisite capital, which is estimated at 500,000*l*. The length of line is about 80 miles, and the country traversed is represented to be peculiarly favourable for railway operations. No physical difficulties present themselves, and good ballast is plentiful. The chief object contemplated is to provide outlets to the rich producing districts traversed by the railway. The whole neighbouring country is under cultivation, and rice and cotton are extensively grown. In addition this, silks, cotton goods, and muslins are manufactured in great quantities. It was at one time intended that a light description of railway should be constructed by Government on this very line, and instructions were sent out by the late Court of Directors for the purpose; but it was found that the cost would be so much greater than had been originally estimated, and that the object of the work would be better answered by a permanent line suitable to steam locomotion, that the arrangement was superseded by the agreement with the Great Southern of India Railway Company, above described.

The amount of capital paid up on the 31st December was 196,221*l*., of which 195,000*l*. was subscribed in this country, and 1,221*l*. in India. The capital was held by 170 shareholders, of whom 97 were holders of shares to the value of 1,000*l*. and upwards. The expenditure of the company, in this country, on materials and management, up to the 31st December, had been 112,002*l*.; and in India, for construction, it is estimated that about 25,000*l*. had been disbursed; making a total of 137,002*l*., and leaving a balance to the credit of the railway company in the Government treasury of 59,219*l*. The date at which Government can first exercise its right of purchase, under the terms of the contract, is in September, 1883.

## CALCUTTA AND SOUTH-EASTERN RAILWAY.

The Calcutta and South-Eastern Railway was registered, under the provisions of the "Joint Stock Company's Act of 1856," for the purpose of constructing and maintaining a railway or railways in India, and particularly a line from Calcutta to the Mutlah River, together with such wet docks and works as might be deemed necessary. Certain powers, similar to those granted to companies which have been incorporated, were conferred on this company by Act of Parliament, in July, 1857. After an unsuccessful attempt to obtain capital for the undertaking, without the assistance of a guarantee of interest, that aid was conceded by the Secretary of State in Council. The operations of the company are limited to the line between Calcutta and the Mutlah. The rate of interest guaranteed is 5 per cent.

per annum on the capital required for this work, which is estimated to cost 250,000*l*. A contract embodying the usual conditions was entered into between the railway company and the Secretary of State in Council, on the 15th March, 1859. The provision of a sure and speedy means of communication between Calcutta and the Mutlah, in view to the establishment of a new and commodious port in that estuary, is the chief object of the undertaking. The inconvenience which is now felt from the crowded state of the Hooghly, and the difficulties which are encountered by vessels in navigating it, have, for some time, called for increased accommodation for the ships trading to Calcutta. The line is about twenty-nine miles in length, and presents no physical difficulties. The country is described by the Government consulting engineer as a dead level, the only necessary gradient being at the bridge over Tolly's Nullah, in order that sufficient headway may be left for the boats passing under it. The works are being constructed by the railway company's engineers, without the intervention of contractors. Considerable progress has been made, and it is calculated that the railway will be ready for traffic by March, 1861.

The amount of capital paid up by the railway company on the 31st December, 1859, was 129,278*l*., leaving 120,722*l*. still to be raised. On the above date the capital was held by 342 shareholders, of whom 40 were proprietors of shares to the value of 1,000*l*. and upwards. The expenditure of the company has been 71,410*l*., of which 56,813*l*. was disbursed in this country, on stores, freight, and management, and 14,597*l*. in India. The amount standing to the credit of the railway company on the books of the Secretary of State on the 31st December, was 57,868*l*. The first period at which the Government can exercise its right to purchase is in March, 1884.

In addition to the lines undertaken by these companies, proposals have been made for establishing railway communication in Oude and Rohilcund. Two companies, bearing the names of the respective provinces, have been formed for the purpose. The Oude Company has been engaged during the last cold season in making the necessary surveys, which were commenced in 1857, but were interrupted by the mutinies. When the surveys are finished, and the views of the Government of India are sent home, it will remain for the Secretary of State in Council to determine whether any, and, if any, what lines shall be undertaken, and by whom they shall be constructed.

The experiment of constructing a railway by means of direct Government agency, and without the intervention of a company, has also been sanctioned. The line selected is to commence at the iron works which have recently been established by Government at Nynce Tall, in Kumaon, and is to join either the East Indian Railway or a new line of railway in Rohilcund. It is intended to apply the iron manufactured at the above works to the purposes of this line. The superintendent, Mr. Sowerby, is of opinion that the cast-iron rails which he is able to turn out may be advantageously used, and estimates a saving of 13,900 *rs.* per mile in the permanent way, for a single line at the distance of Delhi from the works. The surveys for this railway are being conducted by Mr. Hardy Wells, who commenced operations during the last cold season.

The following statement shows, in a sufficient form, when each company was formed, the amount of capital estimated to be required for each undertaking, the amount authorized to be raised by each on the 31st December, the amount raised to that date, and the rate of guarantee:—

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Railway Company.	When Established, and Date of Incorporation.	Capital estimated to be required for each Undertaking.	Amount authorised to be raised.			Amount raised in England to 31st December, 1889.		Amount raised in India up to latest Advices.	Total raised at the end of the Year 1889.	Rate of Guarantee.
			By Share Capital.	By Debentures.	Total.	By Share Capital.	By Debentures.			
EAST INDIAN Main Line Jubbulpore ... ..	1845. 1st June.	1849. 1st Aug.	£	£	£	£	£	£	£	5 per cent.
	...	...	9,255,000	2,745,000	12,000,000	8,870,344	2,745,000	235,911	11,851,255	
	...	...	2,000,000	...	2,000,000	1,757,300	...	3,302	1,760,603	
	1853. 26th July.	1853. 14th Jan.	...	...	...	...	...	...	...	
MADRAS ... ..	...	...	8,500,000	...	...	...	...	...	...	3,500,000 <sup>†</sup> , at 5 per cent. 1,000,000 <sup>†</sup> , at 4½ per cent. 500,000 <sup>†</sup> , at 4½ per cent.
Main line ... ..	...	...	...	1,000,000	4,000,000	2,984,677	347,900	...	3,332,577	
Ballary ... ..	...	...	...	...	1,000,000	565,850	...	...	565,850	
Great Indian Peninsula	1849. 1st Aug.	1849. 1st Aug.	8,000,000	333,300	8,333,300	4,984,744	333,300	343,590	5,641,634	
Sind ... ..	1855. 12th Jan.	1855. 2nd July.	1,000,000	...	1,000,000	894,340	...	20,447	914,787	5 per cent.
Punjab ... ..	1857. 23rd Aug.	1857. 23rd Aug.	1,500,000	...	1,500,000	506,945	...	...	506,945	
Indus Steam Flotilla.	"	"	250,000	...	250,000	249,140	...	...	249,140	
Bombay, Baroda, and Central India ... ..	1855. 2nd July.	1855. 2nd July.	2,000,000	300,000	2,300,000	1,379,238	106,695	18,042	1,503,965	
Eastern Bengal ... ..	1857. 1st Aug.	1857. 1st Aug.	1,000,000	...	1,000,000	424,773	...	2,685	427,458	5 per cent.
Calcutta and South- Eastern ... ..	"	"	250,000	...	250,000	128,506	...	773	129,278	
Great Southern of India ... ..	1857. 2nd Aug.	1858. 2nd Aug.	500,000	...	500,000	195,000	...	1,321	196,321	
Total	...	...	29,755,000	4,376,300	34,131,300	22,920,846	3,532,895	626,971	27,079,712	

\* Including the Jubbulpore line.

† Including the contemplated line from Delhi to Lahore.

‡ Including proposed extensions.

It will thus be observed that, out of a capital of 52,430,000*l.* estimated to be required for all the railways which have been sanctioned, 34,133,300*l.* had been guaranteed by the Indian Government, and 27,079,712*l.* raised, on the 31st December. Shares can be registered in India as well as in England; but only 625,971*l.* has been subscribed in the former country, being in the proportion of 1*l.* to 43*l.* Out of every million of railway money which is raised about 976,500*l.* is therefore subscribed in this country. About 555,000*l.* of this latter sum is expended here. The balance of 426,500*l.*, which, in addition to the amount subscribed in India, is required to meet the expenditure there, is advanced by the local Government. Monthly returns of these advances are received from India, the amounts thereof being debited against the railway capital in the treasury of this office. During the last few years of financial difficulty, when supplies have been sent, not from, but to, India, this process has pressed hard upon the Government, and has obliged the Secretary of State in Council to remit a large amount of bullion to that country; but when a more natural state of things is restored, and India is again in a position to furnish the home authorities with the funds required for their expenditure in this country, the payments of railway capital here will diminish *pro tanto* the amount to be remitted home. It must, however, be borne in mind that, when the receipts into the treasury of this office, on account of capital, cease, the payment of the guaranteed interest will continue, and the remittances from India must be sufficient to meet this demand upon the home Government in addition to its ordinary expenditure. Difficulty may occur in effecting this, but the profits of the railways in India will, it is hoped, supply funds sufficient for the payment of interest at the guaranteed rate; and the trade of the country increasing as it does, and increasing more, as it must with the stimulant of railway communication, will facilitate the means of remittance.

The amount of capital paid by each railway company in each official year, in this country, amounted, from 1848-49 to 1858-59, to 26,453,741*l.*, —viz., East Indian, 13,372,644*l.*; Great Indian Peninsula, 5,298,044*l.*; Madras, 3,898,427*l.*; Bombay, Baroda, and Central India, 975,703*l.*; Sind, including Punjaub and Indus Flotilla, 1,650,425*l.*; Eastern Bengal, 424,773*l.*; Great Southern of India, 120,000*l.*; Calcutta and South Eastern, 195,000*l.*: total, 26,453,741*l.*

Eight companies were employed to open 4,917 miles of communication, exclusive of the navigation of the Indus from Kotree to Moultan, a further distance of 570 miles. The largest concern is that of the East Indian, which will require a capital of 19,000,000*l.* The smallest, the Calcutta and South-Eastern, with a capital of 250,000*l.* Excluding the latter, the average length of line undertaken by each company is 700 miles, with a capital of 7,454,000*l.*

It has sometimes been urged, that a less expensive and less complicated machinery than the employment of so many companies might have been devised for establishing a system of railways in India. The allegation may, to a certain extent, be true; and, if circumstances had favoured the plan, simplicity, and perhaps economy and a direct pecuniary advantage to the public, might have been gained had Government retained the works in their own hands. But, after deliberate consideration, it was decided to encourage private enterprise, and to employ private capital to execute them. A combination of circumstances rendered futile any attempt to

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raise capital without a guarantee; and it may be asked, more especially with reference to the political commotions and the financial difficulties which have been witnessed in India during the last few years, would any other system have accomplished the important object which the Government had in view? Instead of a progress which was interrupted only at times when, and in places where, actual hostilities prevailed, would not these works have been suspended, in common with all the undertakings in course of execution by Government? And would not the funds raised for their construction have been applied to meet the exigencies of the public service? The agencies above enumerated have been created at different times, and under various circumstances, and by successive ministers, and thus it has happened that undertakings may have been committed to two companies, when one would have been sufficient; but there is some advantage in allowing each association to carry out its own particular project, and in assigning to a single one only such an extent of line as prevents the creation of an inconvenient monopoly.

It has also been said, that the multiplication of agencies involves further expense, by creating competition for materials and freight. The simultaneous construction of works may do so; but it is the extent of the demand, not the division of it, that enhances prices, and freight has generally been obtained by the railway companies at a lower rate than that paid by Government under a system of open competition.

#### TRAFFIC OF THE THREE RAILWAYS COMBINED.

The following statement presents a general view of the aggregate traffic on all the railways now open in India:—

Year ending 30th June.	No. of Miles.	Railway.	No. of Passengers.	Tonnage of Goods.	Receipts from Passengers.	Receipts from Goods.	Total Receipts.	Working Expenses.	Net Profits.*
1853-54	35	Great Indian Peninsula ..	535,195	33	13,647	604	14,251	7,139	7,112
1854-55	156	East India .. .. 121	851,514	33,603	36,009	10,015	46,024	31,876	14,148
		Great Indian Peninsula 35							
1855-56	309	East India .. .. 121	1,845,872	133,107	58,504	47,118	105,622	45,796	59,827
		Great Indian Peninsula 88							
1856-57	374	East India .. .. 121	1,834,536	350,792	92,723	108,154	197,877	81,596	116,281
		Great Indian Peninsula 88							
		Madras .. .. 65							
1857-58	523	East India .. .. 121	2,130,509	329,053	111,131	150,615	261,746	111,444	150,302
		Great Indian Peninsula 130							
		Madras .. .. 81							
1858-59	†423	East India .. .. 142	2,722,262	195,431	157,481	224,994	402,025	187,055	214,970
		Great Indian Peninsula 194							
		Madras .. .. 96							

\* It is possible that these amounts may be slightly altered hereafter, as there are certain charges about which there is some doubt as to whether they should be applied to capital or revenue.

† A further section of 35 miles was opened on the Great Indian Peninsula line just before the end of the year.

It is calculated that the cost of the lines which realized these profits was—East India, 145 miles, 1,716,000*l.*; Great Indian Peninsula, 195 miles, 1,699,000*l.*; Madras, 96 miles, 672,000*l.*: total, 4,087,000*l.* The guaranteed interest upon these sums amounts to, on East India, 5 per cent., 85,800*l.*; Great Indian Peninsula, 5 per cent., 84,950*l.*; Madras, 500,000*l.* at 4½ per cent., 22,500*l.*; ditto, 321,600*l.* at 5 per cent., 8,600*l.*: total, 201,850*l.* The net profits of the three railways, notwithstanding the small earnings of the Madras line, amounted, for the year ending 30th June last, to more

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than this sum, so that the Government was practically relieved from any payment on account of the guarantee upon the capital expended on these lines. From a former part of this report it will be gathered that up to the end of the year the whole extent of railway open was 636 miles; but the length of line to which these traffic operations apply is only 436 miles, no returns having been received of the results of the remaining 200 miles.

It appears from the following statement, that on the 1st January, 1860, the annual amount of interest payable by the Government of India to the railway companies, on account of the guarantee, was 1,352,039*l.* per annum, and that by the 1st January, 1860, this amount will be increased to about 1,663,705*l.* In the meantime, however, the net earnings of the railways which are open for traffic will also increase, and assist to diminish the demand upon Government.

Railway Company.	Amount of Capital paid in on 31st December, 1859, and interest due thereon.		Amount estimated to be paid in during 1860, and interest due thereon.		Total Interest.
	Capital.	Interest.	Capital.	Interest.	
	£	£	£	£	£
East Indian ... ..	13,611,857	680,592	3,067,250	153,362	833,954
Madras ... ..	3,898,427	189,921	1,152,000	57,600	247,521
Great Indian Penin- sula ... ..	5,641,634	282,081	900,000	45,000	327,081
Bombay, Baroda, and Central India... ..	1,503,965	75,198	253,000	12,650	87,848
Sind ... ..	914,787	45,739	150,000	7,500	53,239
Punjab ... ..	506,945	25,348	100,000	5,000	30,348
Indus Flotilla ... ..	249,140	12,457	152,235	2,611	15,068
Eastern Bengal ... ..	427,458	21,372	360,000	18,000	39,372
Calcutta and South- Eastern ... ..	129,278	6,463	60,000	3,000	9,463
Great Southern of India ... ..	196,221	9,811	200,000	10,000	19,811
Total ... ..	27,079,712	1,348,982	6,394,485	314,723	1,663,705

It should be borne in mind, that of the 27,079,712*l.*, upon which the sum of 1,348,982*l.* was due for interest, only 4,087,000*l.* was in a position to yield any return, that is to say, had been expended upon lines open for traffic; and it has been explained above that the earnings of the lines representing that capital amounted, during the year ending 30th June last, to more than the sum paid for the interest guaranteed upon it. Since that time a further improvement has taken place in the gross receipts, but the want of full particulars does not enable me to furnish the actual profits.

This result may, I trust, be regarded as an earnest of what the financial position of these undertakings will be when they are completed throughout. It is thought by some that their present success is due to the shortness of the sections now open, and to their vicinity to the presidency towns. But these opinions do not apply so much to passenger as to goods traffic, from which latter source, I venture to think, the greater profits will ultimately be derived. At present, the conveyance of merchandise is very limited, and it cannot be expected that the traffic will be properly developed until a greater extent of line is open, but it will have been observed, by the tables given above, that the receipts from goods are already greater than from

passengers; whereas the proportion in 1856 was 55·40 of the latter to 45·60 of the former; last year it was 39 to 61 per cent.

There are two periods in the history of these undertakings, for the arrival of which the Government as well as the shareholders will look with interest. One, when, after the completion of each undertaking, the half-yearly profits shall exceed the rate of guaranteed interest, and when half such excess will accordingly be added to the 5 per cent. paid to the shareholders. The other, when the whole amount advanced by the Government, for the payment of the guaranteed interest, shall have been paid off, and the shareholders will receive the whole of the net receipts. It would be premature now to attempt to calculate when these events are likely to occur. In the meantime, however, there is sufficient ground for looking forward to the realization of Lord Dalhousie's prediction, that "the Government will never be called upon, after a line shall have been in full operation, to pay the interest guaranteed upon the capital;" in other words, that a line, when completed and in full work, will realize a steady profit of 5 per cent. As this state of things must, however, depend upon various circumstances, it may be worth while to examine whether the hope may be justified by the present aspect of Indian railway projects. The success of all railways is contingent upon their original cost, upon the manner in which they are managed when completed, upon the trade of the country and the extent and habits of the population of the districts through which they pass, upon the deterioration of the plant and road, and upon the amount of working expenses. And, when applying these conditions to India, it may be possible to arrive at a correct estimate of the value of railways in that country.

Before considering the cost of construction, it should be borne in mind that no expense attending the purchase of land falls upon the Indian railway shareholder, that Parliamentary contests are avoided, and that the expenses on account of law and Parliamentary proceedings are very trifling. The table subjoined exhibits the expenses incurred by some of the English, as well as the Indian railway companies in being formed and incorporated, and the proportion which such expenses bear to the capital.

Railway Company.	Total Capital of the Company.]	Law and Parliamentary Expenses.			Proportion which the Total Parliamentary Expenses bear to the Total Capital.
	£	£	s.	d.	
Eastern Counties ... ..	11,611,085	268,201	2	3	2·30 per cent.
Great Northern ... ..	11,444,404	334,219	0	0	2·92 "
Great Western ... ..	27,430,710	760,270	6	1	2·77 "
London, Brighton and South Coast ...	7,799,257	43,690	9	5	·56 "
London and North-Western ... ..	34,041,013	869,771	0	9	2·55 "
London and South-Western ... ..	9,506,325	313,702	0	0	3·60 "
Midland ... ..	20,712,981	597,890	10	10	—
South-Eastern ... ..	11,044,592	515,707	11	3	4·669 "
East Indian ... ..	17,000,000	4,093	0	0	·020 "
Madras ... ..	8,500,000	1,183	0	0	·010 "
Great Indian Peninsula ... ..	12,000,000	4,124	0	0	·030 "
Bombay, Baroda, and Central India ...	2,500,000	3,033	0	0	·120 "
Sind ... ..	3,000,000	2,383	0	0	·070 "
Eastern Bengal ... ..	1,250,000	926	0	0	·070 "
Great Southern of India ... ..	500,000	466	0	0	·090 "
Calcutta and South-Eastern ... ..	250,000	1,174	0	0	·460 "

The average cost of Indian railways bears a favourable comparison to that of other countries.

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Name of State.	Year.	Length of Line open.	Total Capital expended.		Receipts from Traffic.		Working Expenditure.		Net Receipts.		Proportion of Working Expenses to Receipts.	Proportion per Cent. which Net Receipts bear to the Capital expended.
			£	Per Mile of Line open.	£	Per Mile of Line open.	£	Per Mile of Line open.	£	Per Mile of Line open.		
Austria ... ..	1856	Miles. 1,586	25,876,786	16,378	3,461,323	2,190	1,824,120	1,150	1,637,202	1,040	52.70	6.32
Belgium ... ..	1856	445	7,294,783	16,391	960,327	2,158	560,600	1,260	399,727	898	58.16	5.48
France ... ..	1854	2,913	74,772,994	25,668	7,882,666	2,706	3,469,237	1,191	4,413,439	1,515	44.01	6.58
Germany, exclusive of Austria and Prussia ... ..	1855	2,226	29,185,260	13,111	4,042,370	1,816	1,442,928	897	2,599,442	919	49.38	5.70
Great Britain { England and Wales	1857	6,706	263,145,238	39,275	20,195,460	3,161	9,707,498	1,564	10,437,962	1,597	48.00	4.06
Scotland ... ..		1,243	36,094,288	28,225	2,486,890	2,107	1,093,970	941	1,392,920	1,166	44.00	4.13
Ireland ... ..		1,070	16,760,300	15,664	1,139,296	1,091	438,771	465	700,525	626	38.00	3.99
Holland ... ..	1857	163	3,248,845	19,931	278,619	1,709	169,837	1,042	108,782	667	60.96	3.35
Prussia ... ..	1856	2,503	35,295,043	14,101	4,537,602	1,877	2,341,005	968	2,196,597	909	51.59	6.22
Sardinia ... ..	1855	284	...	...	338,724	1,477	174,050	744	164,674	703	51.38	—
Spain ... ..	1855	180	...	...	137,028	924	67,879	522	69,149	402	56.48	—
Switzerland ... ..	1856	203	4,037,427	19,888	129,271	636	69,273	341	59,998	295	54.28	1.48
Tuscany ... ..	1856	132	2,053,498	15,556	127,536	966	58,901	446	68,635	520	46.18	3.34
United States of America ...	1855	17,481	144,646,953	8,275	18,780,848	1,234	10,079,149	666	8,701,700	568	54.00	6.70
East Indian ... ..	1858-59	142	1,716,000	12,084	205,587	1,447	96,184	677	109,403	770	45.04	7.04. 10.
Great Indian Peninsula ...	1858-59	194	1,699,033	8,758	148,496	764	65,491	337	83,005	427	44.10	5.14. 00.
Madras ... ..	1858-59	96	672,000	7,000	47,942	499	25,390	264	22,552	234	52.90	2.01. 08.

By taking the instances of two trunk railways in England and India respectively, some idea may be formed of the comparative cost to the shareholders of such lines in each country. The works and stock included in the present undertaking of the London and North-Western Company, and the purchase of land, involved an expenditure nearly three times greater than that which it is expected will be required for the line from Calcutta to Delhi and its branches. The former line embraces a length of 686½ miles, and the capital amounts to 34,559,446*l.*; the average cost per mile being 50,000*l.* The latter is 1,120 miles in length, and the cost, exclusive of the purchase of land, which is provided by Government, is likely to be 17,000,000*l.* for a single, or 20,000,000*l.* for a double line, or 14,480*l.* and 17,480*l.* per mile respectively.

It would appear, also, by the above statement, that the expenses of working lines at present open in India, and of maintaining them, is not greater than similar charges in other countries. It is, however, almost premature to express any decided opinion upon this point. On the one hand, the railroads have not been opened for a sufficient length of time to enable a judgment to be formed of the deterioration that will take place in the permanent way, materials, and rolling stock; and, on the other hand, the charges for management are probably larger, in proportion to the extent of line open, than they will be when the whole of the work is completed. At the same time, the returns which have been made indicate a gradual reduction in the expenditure on this head. The full effects of the climate and the depredations of the white ant upon the wooden materials (such as sleepers, fencing, &c., which form part of the work) have yet to be ascertained, but sufficient has already been observed to lead to the belief that the process of decay will not be slow; and that it will, in all probability, be found economical to substitute iron for wood as much as possible. Taking, however, everything into consideration, there is no reason for supposing that the cost of working and maintaining railways in India will bear an unfavourable comparison with that incurred on railways in other countries.

With regard to traffic, the statements above furnished, exhibiting the results of the past, afford, perhaps, a sufficient encouragement for the future; and it may be observed that these results would have been still more satisfactory if the Madras line were a fair criterion of the traffic which it ought to command; but the absence of roads from the existing highways to the stations has hitherto offered a great obstacle to its development. The various lines must necessarily differ in their respective results, according to the circumstances of the districts through which they pass; but, assuming that the requisite facilities will, in all cases, be afforded for obtaining a ready access to them, and considering that the competition will be avoided, which in this country has been the means not only of exhausting funds at the outset, but of seriously diminishing the amount of profits that had been calculated upon, ample grounds exist for the expectation that, when once the lines are completed and brought into working order, the traffic will be sufficient, not only to cover the guaranteed interest, but to produce a highly remunerative return.

Having alluded to the question of competition, I should observe that any injurious effects which the existence of an apparent monopoly might seem calculated to produce upon the interests of the community at large is prevented by the power which is reserved to the Government to regulate the

proceedings of the railway company, and to fix, in the first instance, the rates and fares which they may impose. In considering this question, the Government is influenced by the twofold desire to produce as remunerative a traffic as possible, and to confer as much convenience and benefit upon the population of the country, and as many facilities for its trade, as are compatible with the extent of profits contemplated in the clause of the contracts relating to the question of fares. The problem is a difficult one, and can only be solved by careful experiments. These have been, and are now being, tried, and modifications in the tariffs have, from time to time, been made, as circumstances seemed to require.

It is worthy of note how greatly the traffic of the third class preponderates. The proportion of first and second class put together is to the third class as 1 to 16½. This shows, conclusively, how strong has become the desire of the population at large to move about, when the means of doing so has been provided. If railways have produced this result with a people usually regarded as inactive and stationary, it may reasonably be expected that an impulse will be given to the already expanding trade of India,\* the advantages of which will be felt equally in this country as in India.

It may be interesting, as an example, to examine the effect which they will probably have upon the great staple of our manufacturing districts. It appears by the statement appended,† that the average amount of cotton supplied per annum to the United Kingdom by India, during the ten years ending 1858, was 146 million pounds, or about 18 per cent. of the total imported into the former. America supplies 75½ per cent. of the remainder. Of the Indian portion, Bombay sends 135 million pounds, Madras nine and a half millions, and Bengal one and a half millions. By far the greater quantity, therefore, comes from Bombay. The cotton-fields of Berar and Surat will soon be penetrated by the Great Indian Peninsula and the Bombay and Baroda Railways. Hitherto the cotton from the former district has been carried to the port of Bombay, as distance of 450 or 500

\* In 1848, the number of European vessels which entered Indian ports was 1,927; in 1858, 4,261.

† In 1848, the value of exports was 14,738,435*l.*; and of imports, 10,571,008*l.*: total, 25,309,443*l.*

In 1858, the exports were 28,278,474*l.*: the imports were 31,093,065*l.*; total, 59,371,539*l.*

† STATEMENT.

Year.	East Indies.		United States.		Other Parts.		Total.	
	Amount.	Value.	Amount.	Value.	Amount.	Value.	Amount.	Value.
	lbs.	£	lbs.	£	lbs.	£	lbs.	£
1849	67,203,519	1,775,309	634,504,050	13,549,722	50,126,447	1,070,408	751,834,016	16,395,439
1850	110,690,557	2,201,178	493,153,112	14,897,334	51,551,007	1,557,370	655,394,476	18,655,782
1851	141,446,798	3,474,789	596,638,962	14,294,275	28,113,811	517,310	776,199,571	18,286,574
1852	81,104,223	3,619,969	765,630,544	17,146,330	79,229,473	1,856,941	925,964,239	22,623,860
1853	181,360,994	3,629,494	658,451,796	15,015,797	54,978,793	1,289,399	894,791,583	19,934,690
1854	138,183,429	2,802,150	722,151,346	16,173,182	45,345,794	1,015,565	905,680,569	16,990,897
1855	119,513,337	2,428,784	681,629,424	16,330,705	64,943,312	2,289,367	866,086,378	21,148,736
1856	170,771,010	3,314,951	780,040,016	22,001,000	63,349,888	1,583,747	1,014,161,414	26,899,698
1857	253,410,036	4,437,549	654,738,048	19,779,149	64,229,704	1,940,161	972,390,788	26,187,269
1858	197,221,247	4,301,769	833,237,776	21,720,567	68,381,834	1,780,777	1,098,840,847	27,803,113
Total	1,460,905,650	31,946,342	6,820,196,074	180,908,861	680,348,052	15,000,845	8,861,343,776	227,896,048
Average per annum	146,090,565	3,198,634	682,019,507	18,090,886	58,024,305	1,500,084	886,134,377	22,789,604



miles, on the backs of bullocks or in country carts; from the latter it has been conveyed in small coasting vessels. The system of packing and cleaning it has been very imperfect; and upon reaching Bombay it is found, frequently after a journey of six or eight weeks, to have deteriorated in quality and to have diminished in quantity. It has been estimated that the expense of conveying it from Berar amounts to 1½d. per lb., but it is often much higher. This addition to its cost, and its present inferiority to American cotton, prevents the grower from realizing an adequate profit, except when America fails to send the necessary supply to England. It is the opinion of competent judges that the growth of cotton in Berar may be increased to an almost unlimited extent, and that, with care and attention, its quality may be improved. When railways afford a safe and expeditious means of conveyance, and enable it (as the present rates would do) to be delivered at Bombay at more than a penny a pound cheaper than can now be accomplished under the most favourable circumstances, there will be no excuse for inattention to its culture, for the cost of bringing it to the English market would then be so reduced as to enable it to compete, upon more equal terms, with American cotton. In a few words, the result of railway communication will be the greater supply to this country of a better article at a cheaper rate.

The same observations are equally applicable to other products, such as sugar, indigo, rice, &c., which are exported from India, as well as to many resources of the country, including wool, flax, fibres, &c., which have hitherto remained comparatively unknown or dormant, principally from the deficiency in the means of conveying them to a seaport. The most important of these resources, the development of which will add more to the material wealth of the country than almost any other product, are coal and iron. For it is possible that, by the use of these essential aids to the working of machinery, India may again become a manufacturing as well as a producing country. In addition to the commercial benefits which are thus likely to arise, it is hardly necessary to allude to the political, military, and social advantages which will result from railways in India. The saving of time alone will be calculated by weeks, instead of hours, as in other countries where railways have been introduced. Whether this saving is considered in reference to the movements of troops, the conveyance of passengers, or the carriage of goods, the advantages will be enormous. The ease and security which is derived from railways will also be more sensibly felt in India than in almost any other country. Troops will be moved without fatigue and danger to health, and Government will be enabled to concentrate them at any given point at a few hours' notice; merchandise will be conveyed without the damage and loss to which it is subject by road or river transit; and the facilities for personal intercourse, and for the spread of intelligence afforded thereby, will not fail to improve the social condition of the country.

It would not be within the scope of a report of this character to enter into a full consideration of the policy of the guarantee system, or to inquire into the expediency of retaining the construction and management of railways in the hands of Government, although both are questions which have been much discussed in respect of Indian undertakings. Nor is it my province to examine into the question of the applicability of light railways and tramways to the requirements of India. I would only suggest, with reference to this question, that it should be borne in mind that the railways

hitherto sanctioned are trunk lines, intended as the main arteries of communication throughout the country, from which branches will ultimately strike out, and that their objects would have been but imperfectly fulfilled, if they had not been constructed of so solid and permanent a character as to ensure an uninterrupted traffic throughout the year, and to afford the means of high-speed locomotion. Their cost has, in some instances, and from unforeseen circumstances, disappointed expectation. The average will, however, upon the whole, show a moderate outlay. But the conditions which have regulated their construction need not, necessarily, be applied to branch lines, which, for the most part, will be executed for local purposes.

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NEW ZEALAND.

*Papers relative to the Affairs of New Zealand.*

*Copies of Extracts of Despatches from the Governor of New Zealand relating to the Management of Native Affairs, and the Purchase of Native Land, and the proposed Establishment of a Native Council; and of the Answer returned to such Despatches by the Secretary of State. (The Lord President.) (288 L.)*

ON the 26th January, 1854, the Duke of Newcastle received from Governor Sir George Grey a despatch, stating that the European inhabitants having regarded the acquisition from the natives of the Wairaragra district as a measure essential to the future prosperity of the province of Wellington, he, the Governor, had visited the district, and induced the natives to sell the Government about 560,000 acres, for which he made an arrangement signed by the natives. On the same date, the Duke of Newcastle received another despatch from the same Governor, enclosing a deed by which the natives ceded to the Crown the whole of the immense district in the Middle Island lying to the north of the Otago Block.

On the 4th May, the Duke of Newcastle received from Governor Sir George Grey a despatch, enclosing copy of an address presented to him by the native chiefs of the central Waikato and Waigra districts, with the heir-looms of their families. The address is as follows:—

*Tukupoto, December 16, 1853.*

How great is the pain of our hearts in consequence of our Governor going to a distant land.

The grief of the heart commences with the rising of the sun since we heard the tidings of his proposed visit to England. We are, therefore, endeavouring to ascertain the reason why this Taniwha \* Governor, Sir George Grey, should tear himself from us.

We, thought, indeed, that you would have remained in this land as a father for us.

On your arrival in this island, the rain was beating, and the wind blowing fiercely, and then you lifted up your voice to calm the raging elements.†

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\* Taniwha is a god, and applied only to the most powerful chief. The allusion to Sir George Grey is exceedingly complimentary.

† This is a very beautiful allusion to the disturbed state of New Zealand on the Governor's arrival, and to the immediate results of his administration in quelling the rebellion.

Cease from your strife, ye wintry blasts,  
 And let our isle be free;  
 Then Western airs shall fan the land,  
 And Southern airs the sea.  
 And darkness shall be seen no more  
 To lift its gloomy form;  
 And light-winged clouds shall gild the sky,  
 And calm succeed the storm.

Go, O Father! to England, and may the Divine Being preserve you while you are voyaging on the great sea. When you go into the presence of Queen Victoria, and inquiries are made by her [respecting us natives], say that we are blessed with peace, owing to the good governors she has sent us. If you are requested to return hither, O father! then come back to us, your children, whom you have left in a state of uneasiness. Do not leave beyond [the sea] the basket which contains the great or good speeches.\*

Go, O Father! to England, and the Lord preserve you and our good Bishop while crossing the sea. O Father! come thou back to us in company with our good Bishop.

This is our song for you and our good Bishop, who is going hence:—

I sit in solitude, and vaguely look about me,  
 As the tribes, in companies, draw round to speak  
 Their thoughts; for the loved one, who was ever nigh,  
 Whose presence lighted up my countenance  
 And filled my heart with joy, comes not again.

How restless are my nights! I sleep not  
 When I lay me down, for this poor fluttering  
 Heart is ever wakeful.

I would that there were sharp-edged  
 Stones† within my reach, to cut in curves  
 The skin, and show the friend, far, far  
 Removed from this, the love I bear him;  
 'Tis he that makes me great.

Thou wilt be carried forth to Kawa's  
 Heights, and dews shall drop upon thee,—  
 Dews that drop upon the mountain shrubs  
 Of Wairoa. Thou wilt also bestow  
 Thy fond embrace to other friends, to those  
 Who dwell upon the Otu hills.‡

Go, father!  
 Go soaring on the winds  
 That drives the vessel hence, and  
 Leaves us here to battle with the foe;  
 Otarakiteawas fall § has tied thee  
 To another land,—not ours.

This is a song of love to the Governor from the assembled chiefs:—

When Hineuru || leaves, my whole  
 Employment then will be to guard  
 The entrance of the house at Kapu.¶

This is another,—

There will be an earthquake in the land, O Governor, when you depart. (Or, Why do you go, O Governor?—there will be much when you leave.

\* This sentence refers to the Governor being a man of ability and sound judgment.

† This is in reference to a certain custom among the New Zealanders cutting themselves with stones and shells, thereby causing the blood to gush from this self-inflicted torture. It is expressive of the deepest emotions of the heart.

‡ England is meant.

§ This may very likely mean that some acts of the natives have displeased Sir George Grey, in consequence of which he leaves New Zealand.

|| Hineuru, a distinguished personage of old; it here means Sir George Grey.

¶ This quotation from an old song may have two meanings. One is, that when Governor Grey has gone, that troubles will arise, and the time will be taken up in guarding their homes; another is, that a spirit of indifference will pervade the minds of the native population, Sir George Grey not being here to stimulate them to industry, they will lounge about the doors of their houses.

Ruaimoko,\* hold thou the land, bind the land, that no eyeballs be turned up in defiance.†

There is another prayer to bring back the dead to life:—

Thy limbs are stiff; thy life is fled,  
And thou art now among the dead;‡  
But nerve unite to nerve again,  
And flow thy blood within each vein.  
And oh! his valued life restore,  
And give him back to us once more;  
That he our father still may prove  
The fervour of our growing love.

The following is a song for Tuohungia, an ancient Pounamu: §—

The Morning's sacred glow is seen beyond—  
The morn that found the people watching  
For the foe; and while they slept,  
The friend amused himself and went  
His way.  
Ye who are slumbering yonder,  
Awake! Tuoha leaves us;—he's  
Going to the heavens. What evils  
Now await us! But even if  
Ye had cut yourselves in grief,  
Ye would not catch the passing shadow  
Of the brave one who is my treasure.

Hone Te Paki, eldest son of Wetere Te Paki, stood up and said,—

“Yes. Let this meeting make known its unanimous wish to keep Governor Grey. The ashes of our fathers are in their tombs, and he has witnessed their deaths. Te Riepa is dead, Mare is dead, Hori Takiwaru is dead, and Wetere Te Paki is dead, with chiefs of Waikato.

“As a token of my affectionate regard, I send Governor Grey a Heitiki,|| named Perau. This was left us by our fathers as a remembrance of them.

“This is my song for the gift handed down to me by our ancestors,—

“These are, O Hika, as our knees  
Or ancle bones; like household gods,  
We hid them in the roof.

“And this is my song of affection for Governor Grey,—

“The fog is spread along the sky,  
Why hangs it there?  
My tears flow on as if my eyes were  
Springs of water, while my spirit  
Unites itself to his.”

The number of persons who attended this meeting amounted to 140, and the words of this meeting are,—Father, come back to us whom you have left in grief, or whom you leave in their grief. These are the names of some of the chiefs who attended the meeting, we cannot write them all down,—Riwai Te Mokoru, Tuhikitia, Wiremu Poukawa, Te Weteni

\* Ruaimako is a god said to reside in the bowels of the earth, and has great power. When a shock of earthquake is felt, it is said to be Ruaimoko turning himself in his bed. It refers here to the influence of the Governor.

† In time of war, the more determined parties brandish their weapons and turn up their eyeballs, so the white of the eye only is seen. This state of things has passed away, and Sir G. Grey is alluded to as the author of the present peaceable state of New Zealand.

‡ The object mourned over is supposed to be dead, or, rather, in a dying condition. The Governor's absence from New Zealand is considered by the natives to be as one dead. The prayer is for his restoration to life, namely his return to these shores.

§ The Pounamu, or green stone, mentioned, was presented to the Governor by the deputation who read this address. The reader will discover the allusions to his Excellency without comment.

|| An image made of greenstone and worn round the neck, an ornament much prized by the New Zealander.

Taiporutu, Reihana Paukaw A., Ta Kerei Te Rau, Karaka Hiko, Taneti Paeturi, Karaka Te Au, Pukewhau, Karaka Taniwha, Iharaire Te Ngohi, Hone Wetere Paki, Paora Tuhua, Warena Ngapaka, Te Teira Kono, Hoera Toanui, Tipeni Tahatika.

Go, O Father, and return to us all.

SCHEDULE of Heirlooms of the Tribes of WAIKATO and WAIPO, presented to Sir GEORGE GREY, upon the 22nd of December, 1853.

*Tuohungia*—an ear-drop from the ancestors of Te Rau.

*Whaitiri*—an ear-drop from the ancestors of Te Riwai.

*Te Peraw*—a neck ornament from the ancestors of Te Paki.

*Kaukaumatua*—an ear-drop from the ancestors of Te Paki.

*Kaitangata*—an ear-drop from the ancestors of Pokawa.

On the 7th April and 29th May, 1855, Sir George Grey received from Acting-Governor Wynyard despatches, giving particulars of a meeting of natives, expressive of their sympathy with the sufferers from fire which had taken place in Auckland, and with the death of a native from a blow inflicted on him by an European on Christmas eve. The following is an account of the proceedings of the meeting:—

About two hundred of the Ngatiwhakane tribe seated themselves in front of the lawn of the House of Assembly, on the 30th December, 1854, from whom a message was conveyed to the officer administering the Government, to the effect that the chiefs were desirous to see his Excellency.

Previous to the Governor leaving his office, there was some discussion among the motley assemblage as to who should be chosen to commence.

The following is the translation of the song:—

"My nights are sleepless; I alone, of all my fellows, turn the livelong night, and wakeful as the cricket that chirps around my bed. O, my friends, ye are slumbering soundly, whilst shame and sad remorse consume my heart" (this refers to the guilty conscience of the man who committed the murder) "as fire consumes the stubble. It was well with me when in my solitude; but now I am driven like the shellfish from the rock to which I cling, and dashed upon the shore and shattered." (This means that the guilty party, named Kiore, professed to respect the English law, but broke his pledge by committing evil. The rock means the Governor.) "Lo, I am borne upon the mountain wave, which rise at Orua, and I am driven back upon the waves which lash in fury." (The wild passions of the human heart.) "At Mokau, the ear which listened to my fame has caught another sound of me, a sound of evil. The tidings of thy great canoe, O Raha, is echoed through the land." (This means that all the tribe will hear of this foul deed, and deplore it.) "Thy heart was wayward, and thou wert carried into evil by giving heed thereto. Some spell has bound thee; and now the deed is done; we separate for ever." (This denotes their willingness to give up to the Government the man Kiore who murdered his comrade.)

After this song, Paora Waiherekeke, a chief of great standing and influence, said:—

"O Governor, you have no love for me, consequently I have no love to you, for no man is likely to love unless he be loved in return. Do you ask why I make this statement? Let me tell you, then, some time ago I wrote you a friendly letter, and to this letter I have not yet received an answer; I conclude, therefore, that I have no place in your affections." (Here the interpreter explained that his Excellency answered all such letters, and that the reply must have been forwarded while Paora was on his way to Auckland.)

"Notwithstanding what I have said, myself and people are most anxious to be looked upon by you as loyal and obedient subjects. We do not wish to undertake anything of importance without acquainting you. The object of our present meeting is to get your counsel in reference to matters which not only affect us as a tribe, but which affect all the native people.

"You are aware, O Governor, that a native has been killed by one of his own countrymen; and the man who killed him belongs to our tribe. The name of the guilty one is Kiore. He is a chief of some importance; but we no longer look upon him as a living man. We give him up to you, that is to say, as far as his tribe is concerned there will be no impediments in the way of his apprehension.

"The secondary object of our meeting is, O Governor, to request you to do away with the use of spirituous liquors, as this murder and many other crimes owe their origin to intemperance. This evil is causing much trouble in the land, therefore we say, O Governor, put it away."

William Marsh Rangikaheke then addressed the Governor as follows:—

"O Governor, you have heard from Paora that there are two things which we wish to bring before you—one is, the determination we have come to, after many consultations

amongst ourselves, to give up Kioro, that he may be judged according to British law. He is our relative, but we give him up to you; your law says that the guilty alone shall suffer. The law of the Maoris is to punish the innocent, and oftentimes the guilty gets free. Your law is better than ours, and we submit to it.

"The tribes have threatened to attack us on account of the crime which our relative perpetrated. Many rumours of this nature have reached us lately; but we look up to you, O Governor, as the shield. You are the father of all the native people, and if we do wrong, we are accountable to you.

"We have subscribed to the authority of our great mother the Queen; and we say that the laws you have introduced are likely to insure tranquillity, and to put an end to native strife.

"I now desire to acquaint you with our views about the intoxicating drinks; this tree has many offshoots, and all its offshoots are evil. Murder and many other crimes grow out of this tree; all its branches are bad, all its leaves and its fruit. And is it right that such a tree should be allowed to grow? Let it be cut down, O Governor, even to the ground. Let every portion of it be destroyed; let not a vestige remain of this evil tree.

"Let the offensive waters be banished from these islands, and banish them from England, and from every other country.

"The kings and the queens should no longer drink these things which cause so much evil. The governors and the great men of the earth should put the evil away. The masters of vessels nor their men should any longer drink this offensive water, nor should it form any portion of their cargoes.

"O Governor, consent to our request; let not this evil be any longer countenanced in New Zealand. And now hear the voice of my people concerning this evil."

Here the speaker put the following questions to the assembled throng, and they were answered by a simultaneous roar of "Aye."

"1st. Do you all consent to honour our mother the Queen of England, and the Governors she sends hither; and while you embrace the good English laws, will you ask the Queen and the Governors that spirituous liquors may be altogether done away with?"—"Aye."

"2nd. Are you willing to give up our relative Kioro, that he may be judged according to the English law; and do you not consider that his offence has been brought about by the use of ardent spirits, and that further indulgence in these evil drinks should be prohibited by law?"—"Aye."

"3rd. Are you all willing to write for the purpose of requesting the Governor to prevent any more liquors being brought to New Zealand in ships, and are you all willing to give up the use of them yourselves?"—"Aye."

"Now, O Governor, you have heard our words respecting this matter, and you make a law so that this evil may be no more felt or seen."

Marsh concluded with a lament on account of his relative Kioro, whom he now considered as a dead man. All the natives joined in the poem.

"Lo, the cloud is hanging o'er Ohinemutu (a place on the Rotorua lakes), whilst sorrow rends me, and my tears flow fast, for I am separated from him I love. Once his name was honoured: it was borne upon the winds to distant mountains; and ere the heart discovered evil lurked within it, the deed was done that left me here to mourn thy fate."

His Excellency replied:—

"I have listened to your sentiments with great satisfaction. I am glad to hear from your own lips that you prefer the laws of Britain to those of your own country; and I am very much pleased that this avowal of yours is sincere, for you unhesitatingly deliver up your own relative, who has committed a great crime, that he may undergo his trial in the courts of justice. This conduct of yours will be highly approved by your great mother the Queen, and by all who hear it.

"I cannot but deplore, with yourselves, the increase of intemperance amongst the native people, and am persuaded that it is a fruitful source of strife, not only among yourselves, but between yourselves and the Europeans.

"The people themselves must remedy the evil, for the Councils are not likely to legislate on such matters unless they have the countenance and support of the community.

"Many of the British inhabitants of the land have recorded their votes against the national curse you complain of; and I am pleased to find that her Majesty's native subjects are lifting up their voice against this vice.

"I will lay this matter before the Council, who will calmly consider the question. And let me assure chiefs and people that your wishes are cordially responded to, and that I shall do my utmost to carry out your views."

The natives rose, and amidst exclamations of heartfelt satisfaction dispersed to their homes.

In a despatch received July 2, 1855, Acting-Governor Wynyard communicated that some of the chiefs at the Waikato Head, near relatives of

the native who lost his life, were still much excited, and declined to assent to the feelings expressed by the chiefs. The Governor found it necessary, therefore, to visit the district, and the result was highly satisfactory.

On the 5th February, 1856, Lord John Russell received from Governor T. Gore Brown a despatch, to the effect that he had an interview with some native chiefs, in which they complained of some land claims revived by Europeans, which could not be settled by the ordinary course of law, and would, therefore, require the issue of a special commission. The following is a report of the interview :—

"Wi Tana," son of the chief "Papohia," residing at the "Hokianga Heads," appealed to the Governor in reference to certain claims to land situated at "Kaitia," north of "Mongonui." He stated that this land had been sold by persons belonging to another tribe, and that it was not until some years afterwards that he found out that the lands had been sold to the Europeans. He wished that an inquiry should be made so as to find out how the claims stood. He had already written to the Government and explained the circumstances, and wished for an investigation.

The Governor replied, that so soon as the subject had been brought before him he would give it his attention, and that a written reply should be sent to him.

"Te Otene" stated that a similar application had been made by himself to the Government in reference to a large piece of land which had been claimed by an European (in the Kaipara district), said to form part of a small block sold many years ago.

Investigation had since been made by an officer of the Government, and the result had been that the land so claimed by the Europeans was returned to him, and that afterwards, as an acknowledgment of the justice of this proceeding, he had sold a large block of land to the Government for 700*l*. "Te Otene" hoped that the new Governor would take care that the arrangements for the sale and purchase of lands should be carefully gone through, that few mistakes might arise.

The Governor gave his assent. His Excellency stated that any claims which Mr. McLean requested should be inquired into should be investigated so soon as he returned from the South.

"Te Otene" resumed :—To inquire into the disputed claims to land was the right way to keep peace and to attach the natives to the Government, and in proof of this stated that he was a man of peace and practised the religion of the Europeans, and as he was without the means of calling his people together for public worship, he would now ask the new Governor for a bell, which his Excellency granted.

On the 23rd June, 1856, Sir William Molesworth received a despatch from Governor T. Gore Browne, stating that the natives were generally considered in a state of transition. The enthusiasm of first conversion to Christianity had given place to the indifference too common among those who profess it generally. The Maoris observed that Christianity did not prevent war, immorality, or other vices among Europeans, and they were not inclined to recognise a greater restraint upon themselves. Hence conflicts were taking place between different tribes, which the missionaries can no longer prevent.

The law which prohibits the sale of arms, gunpowder, and spirits, appeared to have been so entirely evaded; that they were generally well armed, which was not the case with Europeans. A real or imaginary injury inflicted in the course of trade, or under the effects of intemperance, might therefore lead to the most serious consequences. It was also necessary to take into consideration a great longing on the part of the younger men to emulate the warlike exploits of their fathers, which form the constant theme of improvisatori, who are numerous in every tribe. They considered themselves quite equal to any European in military prowess, and have a full knowledge of the many advantages they possess in the fastnesses to which they can retreat, if necessary.

Under all the circumstances of the case, the Governor deemed necessary

to detain the 58th Regiment, and urgently requested the constant presence of a steamer of war.

On the 13th August, Mr. Labouchere received from Governor Browne further observations upon the character of the Maoris' as follows:—

Though possessing many excellent qualities, I have not found the Maoris as advanced in civilization or as inclined to conform to European laws and usages as I was led to expect from the reports generally circulated in England. Most of them are Christians, but they still retain many of the old habits, and not a few of them their superstitions. They respect our laws and our customs, but do not consider the former to extend beyond the lands alienated to us, upon which very few of the native inhabitants remain. When deceived and overreached by unprincipled Europeans (as is too often the case), they cannot understand why the aggressor should not be punished as a criminal, and often seek an equitable redress at our hands which the law does not enable us to grant; added to which they view many trifling offences, such as cursing, or an accidental shedding of blood in the smallest quantity, in a light which cannot be recognized by our law. The right of individuals, and even tribes, to the land they occupy and claim is often vague and undefined; and it is only of late they have been satisfied that in selling land they have permanently alienated it. On all questions relating to land they are most jealous, and any injudicious interference with these matters would unite the whole of the tribes in one league against us.

Bearing in mind that (with many honourable exceptions) the European out-settlers are not always the most respectable; that deserters, and a far worse class, often find refuge in remote places, where they live beyond all control or authority, it can scarcely be expected that differences should not arise, or that the amalgamation of two races so dissimilar could progress steadily and without interruption. Feuds are constantly going on among the native tribes, and there is always danger of the entanglement of Europeans in them, and to this may be added causes of dissatisfaction beyond our control, consequent upon the operation of laws suited to European civilization, but not comprehended by a people who expect and desire an equitable and summary award.

I therefore state, on the authority of persons best acquainted with the natives, and most favourably inclined towards them (*vide* accompanying report, with enclosure, from the chief commissioner for purchase of native lands), that differences will be of frequent occurrence until the natives have advanced in civilization much more than they have yet done; that the most judicious management is required when such cases do arise; that the consequences of our failing to settle amicably any such disputes would probably be the burning of some small settlement, or even Auckland itself (which being built of wood could be fired with ease, as has been more than once threatened), an enormous destruction of property, a cessation of immigration, and the consequent ruin of a colony which resembles England more than any other belonging to the Crown.

On the 28th November, 1856, Mr. Labouchere received from Governor Browne the following report of a board of gentlemen who inquired into the system of purchasing land from the natives:—

#### REPORT.

The Board, consisting of the following persons:—Mr. C. W. Ligar, surveyor general, chairman; Major Nugent, major 58th Regiment, late Native secretary; Mr. W. C. Daldy, M.H.R.; Mr. T. H. Smith, acting native secretary and resident magistrate, Rotorua; which has met at the desire of his Excellency, to inquire into subjects connected with the native race, has the honour to report that, in order to give weight to the opinions it might express, considered it necessary to avail itself of the best information which could be obtained from persons acquainted with the natives, both as regards their original state, and the relative position they have assumed in connection with the European population.

1. With this view, the Board requested the attendance of the persons named in the accompanying memorandum, who, without exception, cordially entered into the feelings which dictated the inquiry, and have unreservedly placed at the disposal of his Excellency the result of their varied experience.

2. From this source the report has been principally drawn. It will be found probably to differ from individual opinions which have been put forth on the same subject, but this is rather to be expected than otherwise, for the Board has found that what is applicable in one locality is not so in another.

3. Before entering into the subject of purchasing land from the natives, it will be necessary to make a few general remarks explanatory of the manner in which the natives hold their land, and on a few other subjects connected therewith.

#### NATIVE TITLE TO LAND AS TRIBES.

4. It appears that the title or claim to land by tribes arose from occupation, dating sometimes from remote periods, and from more recent conquests, followed by occupation either by themselves personally or by remnants of the conquered people.



5. That this title existed no longer than it could be defended from other tribes.
6. That the boundaries were in some cases clearly defined and admitted by adjoining tribes, but that in many others they were quite the reverse, and were causes of constant quarrels.
7. That narrow belts of land, as being claimed by two tribes, could not have been occupied by either without causing an appeal to arms. That there is no part of the country which is not claimed by some party or another.
8. That as land is inherited in the female line, the constant intermarriages between the tribes led to the descendants by such marriages having claims to land in more tribes than one.
9. That it frequently happened that one tribe gave land within their own limits to the members of another tribe, for assistance rendered in times of danger, which gifts were held most sacred.
10. That claims to land were made by one tribe and admitted by another as compensation for the murder of a chief thereon or other injury.
11. That the accidental death of a chief on the land of another tribe gave his family a claim to it.
12. It will therefore be seen that no tribe has in all instances a well-defined boundary to its land as against adjoining tribes; and that the members of several other tribes are likely to have claims within its limits.

#### CLAIMS OF INDIVIDUAL NATIVES TO LAND.

13. Each native has a right in common with the whole tribe over the disposal of the land of the tribe, and has an individual right to such portions as he or his parents may have regularly used for cultivations, for dwellings, for gathering edible berries, for snaring birds and rats, or as pig runs.
14. This individual claim does not amount to a right of disposal to Europeans as a general rule, but instances have occurred in the "Ngatwatua" tribe, in the vicinity of Auckland, where natives have sold land to Europeans under the waiver Crown's right of pre-emption, and since that time to the Government itself. In all of which cases no after claims have been raised by other members of the tribe; but this being a matter of arrangement and mutual concession of the members of the tribe, called forth by the peculiar circumstances of the case, does not apply to other tribes not yet brought under its influence.
15. Generally there is no such thing as an individual claim clear and independent of the tribal right.
16. The chiefs exercise an influence in the disposal of the land, but have only an individual claim, like the rest of the people, to particular portions.
17. Since the introduction of Christianity the natives have gradually emancipated their slaves taken in war; and by their return to their former possessions, they have become a new class of claimants.

#### PURCHASE OF LAND BY THE GOVERNMENT FROM THE NATIVES.

18. When the natives first came into contact with Europeans in the relative position of sellers and buyers of land, the evidence of which before the Board extends as far back as the year 1822, it has been shown that the natives in disposing of their land intended only to convey a title similar to that which they, as individuals, hold themselves—the right of occupancy. They did not imagine that anything else could be wanted. Their desire for Europeans to settle among them was very great; and in selling a piece of land to one of these early adventurers, they not only were prepared to hold his title, such as it was, inviolate, but considered his personal safety a matter of the deepest interest. He, in fact, was considered as one of the tribe, among whom he had cast his lot.
19. They soon, however, ascertained, when a knowledge of their language had been sufficiently acquired by the Europeans, that this sort of tenure was unsatisfactory; and in all subsequent transactions of the kind, gave written titles in perpetuity, with the right of transfer.
20. This same wish for the location of Europeans among them increased rather than diminished up to a very recent period.
21. Although the natives are capable of forming strong personal attachments, they are not exempt from the weakness of valuing things the less because they became common; thus the much-prized white man soon ceased to be considered as an oracle when ships, freighted with settlers, arrived on these shores. He, however, for a considerable time did not lose his character for usefulness, as he became a medium of communication with the new comers. To him the natives sold their surplus agricultural produce, for which a brisk demand had sprung up; but as the shyness in visiting the settlements wore off, and they found they could obtain much more advantageous terms by taking their goods themselves to the market, his sphere of usefulness ceased also.
22. The natives having rendered themselves independent of the services of individual Europeans, and the first feeling of novelty having passed away, it was no longer found that they would offer inducements in the shape of land to get settlers among them.

23. In like manner, much that appears to apply to individuals is applicable, also, to the acquisition of land on a larger scale for the uses of the large body of settlers. Formerly, to obtain a town in their neighbourhood, large tracts of land would have been ceded for such purposes, and for farms around it. Now, natives finding that with their improved means of communication one or other of the various settlements affords a market not too remote for the sale of their produce, and that they can at these places purchase everything they require, think it is to their advantage to keep their large tracts of land, which the European settlements have enhanced in value. The very high rates which have ruled the markets in New Zealand, owing to the demand for agricultural produce consequent on the discovery of gold in the neighbouring colonies, has strengthened this feeling to keep their lands, and will for a time operate.

24. The difficulties which have arisen in not acquiring all the land on the first establishment of the colony, which might be required afterwards, should as speedily as possible be met and overcome; for the longer efforts are delayed, the more it will cost to extinguish the native title. If this is not done, every piece of land which is fenced in and reclaimed, every road which is made, and every European settler who arrives in the country, only serves to give a value to the unimproved tracts of native land which surround the settlements.

25. It is well known that even among European settlers themselves an absentee proprietor, or one who leaves his land in a state of nature, reaps an advantage by the value given to it through the cultivation and improvement of the adjacent land. The same process is going on as regards native lands in the vicinity of some of the settlements, and as the Government is now the party anxious to buy, and they are growing more unwilling to sell, advantages should be given to them to insure their co-operation in this respect. Nothing, it is considered, will be so conducive to this end as the issuing to individual natives, or to the heads of families, a Crown grant for such portions of land as may be actually required for occupation.

#### CROWN GRANTS TO NATIVES.

26. Many of them are beginning to see that without such a security their further progress in civilization is impossible, and while they would, as regards the tenure of their dwellings and cultivations, be placed on an equal footing with the Europeans, they would be adding to the wealth and resources of the colony at large.

27. Independent, therefore, of its being used as a means of inducing them to part with their surplus lands, it is called for as necessary to promote their individual interests, and whatever tends in their case to this result must be of general advantage. As long as they hold their lands as they do at present they have no incentive worthy of the name to improve their social condition or to add permanent improvements to their land; and as regards the adoption of our laws and customs it is not likely that they will readily break off their connections with the native tribes, which now afford them the only security they have for their holdings until they are assured of a better. While they continue as communities to hold their land, they will always look to those communities for protection, rather than to the British laws and institutions, which, although brought so near, do not embrace them in regard to their lands.

28. It is not supposed that at first the system could be very extensively carried out, but a beginning is called for and is practicable. The advantages would soon become apparent and be acted on generally.

29. Before a grant can be issued to a native, it would be necessary that the native title to the piece of land should, as a preliminary step, be transferred to the Crown; and in order to prevent any claims being raised to the land after it was granted, the same forms should be gone through as if the native title were about to be extinguished by a sale to the Crown for the purposes of resale to Europeans.

30. To give clear and undisputed titles to individual natives would require mutual concessions on the part of the natives themselves, and the whole of the claimants to the land should be ascertained and be made parties to the transaction, and sign the transfer to the Crown:—there would then be no danger of any after claims.

31. As regards the expense of the survey, &c., connected with the transaction, the native should, it is considered, pay for it, unless it was thought that he had given an equivalent in co-operating with the Government for the sale of the surplus land of the tribe to which he belonged.

32. With respect to the nature of the grant and to whether it should have a restriction preventing the sale of it within a certain number of years, the Board is of opinion that it should be similar in effect to that issued to Europeans in every respect, as no other form would be appreciated. Their strong attachment to land and the importance with which they view what is requisite to supply their wants would prevent them from parting with it, so as to leave themselves destitute.

#### LAND FOR HALF-CASTE CHILDREN.

33. There is another subject intimately connected with the preceding, as tending to facilitate the acquisition of the surplus lands, and to place an increasing and interesting class of individuals in a position of usefulness. The half-caste race, occupying as they do an intermediate station between the European and native, have neither the advantages of the

one or the other, and whose future destiny may, by proper management, be directed in the well being of the colony, or, by neglect, be turned in a contrary course. They are objects of great solicitude to their native relatives, as well as to their European fathers, who desire to secure them sufficient portions of land for their maintenance, and when such is the case there is every reason for the co-operation of the Government. The Board would therefore recommend, provided the native title is in the first place extinguished, that Crown grants should be issued in their favour in trust to some public functionary.

34. And that no distinction should be made between those children born in wedlock, or otherwise, up to the present time, but after a certain date to be decided on, no children, not born in wedlock, should be intrusted with this privilege.

#### PRE-EMPTIVE RIGHT TO OLD SETTLERS.

35. There is still another class of persons—the old settlers—to make provision for whom falls rather within the scope of the regulations framed for the sale of land to the Europeans, but who occupy a position and influence among the natives which may be usefully employed in assisting in extinguishing the native titles over tracts of land not required by the natives. They have, in many instances, improved land and built houses under a native title; and, wherever they are found to co-operate with the Government, they should have secured to them their homesteads at a fixed price.

36. Circumstanced as the Government has been, with insufficient land to meet the requirements of the colonists, it is not surprising that various suggestions have been made for acquiring it more rapidly and extensively than has hitherto been done.

#### WAIVER OF THE CROWN'S RIGHT OF PRE-EMPTION.

37. With reference to the mode by means of the waiver of the Crown's right of pre-emption in favour of individual Europeans, which was carried out under Governor Fitz Roy without any difficulties having arisen therefrom, as regards the natives over whose land it was carried into effect;—it would appear from these circumstances, and from the relief which at the time it afforded to the settlers who found themselves within such circumscribed limits, it has still some advocates, both European and native, in the vicinity of Auckland, where it was alone tried; but it is generally condemned as a mode of colonization, on the ground that it gives the present body of settlers an unfair advantage over new comers; and even among the present settlers themselves, those who are acquainted with the natives and their language would monopolize the land to exclusion of others. Under the present circumstances of the colony, the subject is not likely to be revived; but it has been necessary to allude to it, in order to consider one very important statement put forward by its advocates in support of the system. They argue that the natives are discontented at the Crown retaining the right of pre-emption. In reply, the Board would state that the contrary has been found to be the case. The natives generally, with the exception of a few in the locality named, view the right of pre-emption as a law applying to restrain the Europeans, and in a favourable light, as a protection to themselves against the too general and indiscriminate sale of their lands, as well as a means of preventing confusion and disputes.

#### PROPOSED PLAN FOR THE ALIENATION OF NATIVE LAND.

38. Referring to the plan which has been suggested to his Excellency, and submitted to the Board for consideration, by which it is proposed that the Government should act in the capacity of agent for the natives, sell their land, and give them the whole of the net proceeds, after deducting the necessary expenses of investigating title and paying for the surveys, &c.

39. As regards the natives, the principal objection is the uncertainty of the ultimate price to be received, without which it is not likely they would be able to agree among themselves, or to come to any decision to sell, and of giving up the land, when so agreed, into the hands of the Government to be disposed in the manner proposed.

40. If they should overcome this first difficulty, another would arise with regard to the distribution of the proceeds, and those who felt aggrieved by the amount offered to them by their friends would claim their portion of land, although it might have been sold to some European. For, although it might be greatly in excess of what was usually received under former methods, it would probably not satisfy the cupidity which such a system would be likely to excite.

41. Involving, as it does, the necessity of a complete surrender and extinguishment of the native title, before the receipt of the consideration or price, it would be contrary to all native custom, and would not, therefore, be generally popular.

42. Its principal objects appear to be to insure a rapid and extensive sale of land for the purposes of colonization, by means of the high price the natives would receive, and at the same time remove any suspicion on the native mind as to the purity of the intentions of the Government in wishing to acquire their lands, and relieve the Government from providing money for purchases.

43. The prejudices to be combated, in order to get the natives to accede to the plan, would not probably be met by the deferred and uncertain, though higher payments; while the expenses, varying in amount in different cases, would only alter the character of the responsibility which the Government would be obliged to undertake.

44. Portions of land would remain unsold for a length of time, balances of the account would remain undivided among them, and it is not difficult to foresee other causes of dissatisfaction, which might arise out of their relative position of agent and principal, in a transaction spreading over a long period.

45. Alluding again to the price or consideration to be offered for native lands, as a means of procuring it more rapidly, under ordinary circumstances, and when applied to transactions of the kind between Europeans, sales could generally be effected if the intending purchaser was liberal or extravagant in his offers; but the rule does not apply equally to the natives as a people. Individuals may be found among them who have learned to view land as a mercantile commodity,—which character it assumes in a colony more than elsewhere. In old European countries attachments to hereditary property exist to such an extent, that very tempting offers would not induce some proprietors to part with what had long been associated with the history of previous generations.

46. This feeling is no less strong among the natives of New Zealand; and every sentiment of the kind is brought into activity whenever it is proposed to them to sell land, forming so important a part of their history, and for which their forefathers have fought and bled.

47. It is known that almost every spot chronicles some well remembered tradition, and when they are asked to part with these places to strangers, who cannot be supposed to enter into their feelings on the subject, and whom they see destined at no very remote period to place them in a secondary position in their own country, it is no wonder they hesitate to take the step.

48. Another cause operates in creating an unwillingness in the minds of some of the natives to sell certain portions of land or even to enter upon the consideration of the matter. There are many delicate points connected with rival claims, which, as long as neither party exercise any very decided act of ownership, are allowed to lie dormant, but which would be called forth and give rise to serious quarrels immediately it was understood that either party meditated a sale of the land so circumstanced.

49. The price with them is a secondary consideration. If they can make up their minds to sell, it is a proof that they are impressed with the necessity of the new order of things which has been introduced, and to which they know they will ultimately have to conform; or, that seeing advantages to be derived, they, by the sale of land, court its influence. More or less, every transfer of land may be looked upon as a national compact, and regarded as binding both parties to mutual good offices.

#### LEAGUE NOT TO SELL LAND FORMED AMONG NATIVE POPULATION.

50. In proof of this, the natives, to the north of Auckland, who have for the longest time been acquainted with the Europeans, and who, by repeated acts of this kind, have tacitly given in their adhesion to the European customs, are still willing to sell land for the extension of settlements; while those natives not brought into such close contact, but living in the less frequented parts of the country, south of Auckland, have formed a league to prevent the spread of European influence, and refuse to sell their lands with that avowed object in view. This league, commencing, as before stated, south of Auckland, at about fifty miles from the town, at a branch of the Waikato River called Maramarua, embraces nearly the whole of the interior of the island, and extends to the east coast and to the west coast, south of Kawhia.

51. It is not supposed that this combination will long hold together, as no advantage of a practical nature to the natives can be derived from it.

#### PRESENT MODE OF PURCHASING LAND FROM THE NATIVES BY THE GOVERNMENT.

52. With reference to the present mode of purchasing land from the natives, the Board consider it the best adapted, under all the circumstances of the country, to meet the difficulties with which the subject is surrounded.

53. They do not, however, consider it incapable of certain improvements, and they submit some leading rules for the purchase of land, which they would recommend to be followed. They are aware that part of what is set forth on their recommendation is already in operation; but what the Board would aim at accomplishing is, in the first place, to bring about, if possible, a registration of all native claims, accompanied by the names of all claimants; a greater publicity, among the native proprietors, of every purchase under negotiation, with the intention of bringing forward rival claimants before the purchase is made, and not allow them to wait until after the money is paid away; the exclusion for the future of all instalments prior to the completion of the sale of the land. As almost every new purchase of land has a history of its own, differing somewhat from the last, it is impossible that the officer entrusted with this important duty can rigidly follow one undeviating plan in all cases.

54. As soon as the Government has decided on the parts of the country which it is necessary to procure, the chief commissioner should then divide it into conveniently-sized districts, and in each station an assistant-commissioner, who should remain permanently in it, and not be changed from one district to another: he would thus gain a knowledge of all the claimants and their boundaries.

55. If not a surveyor himself, he should always have one stationed with him. The duty of the assistant-commissioner, on first taking charge of the district, should be to obtain the

co-operation of the natives, with a view of setting forth, on a sketch or survey, the boundaries of their claims, and accompanying it with a complete list of the names of all the individuals who have a claim to land.

56. The nature of each person's claim should be stated, and should refer to the particular locality on the district sketch or survey, by means of distinctive letters and figures, wherever it was not practicable from want of space to write the name in full upon it.

57. This work should be proceeded with whether the land was offered for sale or not; for, if not immediately required, it would facilitate subsequent transactions.

58. Copies of such sketches and lists should be forwarded to and registered in the office of the chief commissioner for future reference. In this manner a complete registry of the native lands would be compiled.

59. When a portion of land was offered for sale, the assistant commissioner should, with the surveyor, perambulate the boundaries, accompanied by the native sellers, who should be required to dig holes in the earth at the corners, mark trees, and set up poles, as is their custom. The surveyor should take the bearings of all the boundary lines, note the particular mark made at each intersection of these lines, giving the native names to such places, but take no part in setting up poles or cutting marks in the ground or on trees. The whole of the transaction should be the act of the natives themselves. They should, however, never be sent to cut lines or make marks by themselves. When this had been done, and the quantity of the land estimated, and all the particulars respecting it ascertained, the assistant commissioner should then agree upon the price to be paid, and issue a notice giving the following particulars:—the names of the piece of land offered for sale, a description of the boundaries, the price agreed upon, and a list of all the claimants which he had been able to ascertain.

60. This notice to be published in the *Maori Messenger*, or in a special *Maori Land Gazette*, to be printed for the purpose.

61. It should call on other claimants, if any existed, to send in their claims on or before a certain day to be fixed (at least three months from the date of the notice), otherwise their claims would be considered as forfeited.

62. If any new claimants appeared, they should have their claims investigated in the presence of the persons proposing to sell; and if, in the opinion of the assistant commissioner, they appeared to be based upon the usual customs of the natives, the persons bringing them forward should be permitted to participate in the payment agreed upon, or the purchase should not be proceeded with.

63. That as soon as possible after the adjustment of the claims, a meeting of all the claimants should be called.

64. At this meeting the whole sum, or any part agreed upon, should be produced and divided by the natives, under the superintendence of the assistant commissioner, in parcels containing the sum to which each individual or head of a family was entitled.

65. That each parcel should be labelled with the name of the person for whom it was intended, and this person should receive the same upon signing the deed of sale.

66. The deed of sale should, in addition to the description of the boundaries, have delineated upon it a carefully prepared sketch or plan, setting forth the names of the places referred to, as well as every other particular connected with the land, so as to make it as intelligible as possible to the natives.

67. The survey of the land should, after the completion of the purchase, be proceeded with as soon as possible.

68. At present the natives have generally an objection to the regular survey of a piece of land prior to the sale, as they imagine that the act partakes of the character of ownership, or might, if the negotiation should be broken off, be so implied at a future time.

Wherever this feeling can be overcome the survey should be proceeded with, so as to have been completed, if possible, before the money is paid.

69. And wherever the natives make reserves within the block, they should be set out and surveyed before the completion of the purchase of the surrounding land.

*Note to preceding part of Report, by Mr. Daldy.*

With reference to the proposed mode of alienating land, by allowing the Government to act as agents in the transaction, I have to express my dissent from the opinions urged in this respect against its efficient working by the other members of the Board.

With regard to the 39th paragraph, and to the statement "that the principal objection," as regards the natives, is the uncertainty of the ultimate price to be received, without which it is not likely that they would be able to agree among themselves; that, as to the uncertainty of the ultimate price, I have to observe, that by the plan proposed it was intended that the natives should name the upset or fixed price, and whatever was obtained above that sum at the sale by auction would be to their advantage.

With regard to paragraph No. 40, I have to observe that the land would be handed over to the Government with the same care as if sold to the Government.

With regard to No. 41, I consider that custom, and a few trials of the system, would do away with the objection stated.

With regard to No. 43, the objections are provided for by the natives fixing the first upset price, and lowering it when requisite, so as to induce purchasers to buy the whole.

With regard to the 45th paragraph, my view is, to treat the native lands just the same as if it were the property of Europeans.

And as regards the paragraphs 46 to 49 inclusive, the same objections apply to the Government purchasing land.

I am of opinion that this system may be worked at the same time as purchasing, and that it would tend to bring the native lands, nearest the large European settlements, into the market, thereby causing the European population to grow from their centres, instead of being detached in all parts of the country, and cause the country to be brought into cultivation in a more systematic manner, thereby lessening the expense of public works.

I am convinced it is not possible to bring this system fully into operation at once, but that, once commenced, it would extend rapidly, and, from its full recognition of the natives as British subjects, produce good results on their minds.

When reviewing the extent of the business transactions of the natives, I cannot concur in the opinion that the natives would not understand it.

With reference to paragraph 81, on the prohibition of the sale of spirits:—

I have to observe that I do not concur in these views, believing the evils arising from evasion will be as great as those prevented by this law. I believe that the time has arrived when distinctive laws should be abolished, and that moral influence is the only hope in this case.

(Signed) WILLIAM C. DALRY.

#### MAGISTRATES AND JURORS.

70. The Board is of opinion that it would not be desirable to appoint natives as resident magistrates, as they would not carry sufficient weight with their countrymen, and from their ideas of clanship, their decisions would not be impartial. The natives would not respect English law administered by them.

71. The natives themselves would prefer the decisions of a disinterested European magistrate.

72. They admit the inefficiency of their own laws even to settle their own quarrels, and in any appeal to our laws for this purpose they consider European agents should be employed, so as not to mix up in any way the two systems.

73. There are two kinds of influences at work among them, many of the young and intelligent admit the excellence of, and wish for, the introduction of a new order of things.

74. The old people, not seeing the advantages of our system so clearly as to be able to carry it out themselves, oppose those who would be preferred to take it up.

75. Their objection being more to the men who are willing and able to introduce the new system than to the system itself, the difficulty of appointing them as magistrates is not only their want of impartiality, but a difficulty arises among themselves. If the young and intelligent were invested with this office, they would be met with a feeling of jealousy from the old and influential chiefs, instead of receiving their support, without which they would be powerless.

76. The office of assessor seems to meet the requirements of the present transition state of the natives; great care, however, must be exercised in all the appointments, and in order to represent and combine, as much as possible, the two parties, it would be advisable to select the intelligent sons of the ruling chiefs for this distinction.

77. It is necessary to attach a small salary to the office; a sum of about 10*l.* per annum appears to be sufficient.

#### JURORS.

78. The Board would not recommend natives being placed on juries at present.

79. The sheriff should, if he finds any intelligent natives in the neighbourhood, place a few of them on the jury list from time to time, who should be called alphabetically the same as the Europeans. In this way they might be gradually taught to act in this capacity, and be shown that they were taking part in the carrying out of the laws.

80. In this way they would be called to act, without reference to the particular subject to be tried, or at times of great excitement, such as when a native had been killed by a European.

#### PROHIBITION OF SALE OF SPIRITS.

81. The Board is of opinion, from the evidence taken on the subject, that the law prohibiting the sale of spirits, though evaded to a very great extent, still operates as a check to the evil it is intended to prevent. Although it may not be found possible so to enforce the prohibition as that no case of infringement or evasion shall occur, yet the Board is of opinion that much of the evil at present existing may be suppressed by increased vigilance on the part of the magistrate and police; and would by no means recommend the repeal of the law, believing that it would be followed by a great increase of drunkenness among the natives, from which the most serious consequences might be apprehended, affecting both races.

82. The majority of the natives, and especially the more intelligent and well-disposed among them, regard the importation of spirits into the country as a great evil. Several of the tribes have petitioned the Government to prohibit it altogether. Many of the observant and reflecting men among them have expressed a conviction that spirits have already

endangered the peaceful relations which have for so long a time subsisted between the two races, and that they may yet prove the means of causing the most serious disturbances.

83. From the evidence collected by the Board, it would appear that the law in question is regarded by the natives generally as a salutary and beneficial one; that they recognize in its enactment the benevolent exercise on the part of Government of a parental authority, interposed to protect them from a dangerous enemy. There are, doubtless, many individuals among them who wish the restriction removed; but the Board is of opinion that were all the tribes in the island called upon to give a deliberate expression to their wishes on the subject, very few, if any, would be found in favour of repealing a law intended to prevent the spread of intemperance among them.

84. The Board does not overlook the evil, or the moral effect, attending the existence of a law which is evaded or disregarded; but it considers that, in the present case, a far greater evil would be incurred, by throwing open spirits to the natives, than by retaining the prohibiting law, even under existing circumstances. While the law remains, it affords a standing evidence to the native race that their well-being is the subject of careful solicitude on the part of the Government, which endeavours as far as possible to protect them, and to counteract those evil influences to which their contact with Europeans necessarily exposes them. The repeal of the law would be looked upon by themselves not merely as a discountenance of the veto, but as a positive encouragement and invitation to drink, and as their abandonment by the Government to the ruin and degradation which intemperance may be expected to bring upon its victims.

85. The Board would recommend that the best efforts of the Government should be directed to prevent the evasion of the prohibitory law, and to enforce its penalties; and would suggest that it is desirable to make it more stringent in certain cases. At present a heavier penalty may be inflicted upon the trader who sells a bottle of spirits to a native, than upon the one who sells a hogshead, the former being liable to a fine for selling without a licence, while the latter escapes with a penalty of 10*l*., which he can afford to pay out of his profit on the transaction. To remedy this, the penalty for selling more than a bottle should be increased to a sum not exceeding 50*l*.. A second breach of the law should be punished with imprisonment.

86. Every encouragement should be given to the chiefs and influential men in the different tribes to co-operate with the Government in the endeavour to suppress an evil which threatens to become so prevalent. The utmost vigilance should be used to prevent natives from obtaining spirits in Auckland. Great caution should be used in granting bush licences in native districts.

87. The Board is not without hope that the natural good sense of the natives will lead them to see and avoid the danger which threatens them as a race, should they unhappily fall into habits of intemperance. It would appear that there are some among them fully alive to the serious nature of the evil, and are determined to use every effort to suppress it.

#### NATIVE COASTERS—LAX STATE OF SUPERVISION.

88. With reference to the following facts, communicated to his Excellency by Mr. Fenton, lately appointed to act as native secretary:—1. That the supervision exercised over the coasting trade is very lax. 2. That the major part of this trade is in the hands of the natives. 3. That they own and sail a great number of the coasting vessel. That it is by this means of transit the natives, living at a distance from Auckland, are supplied with spirits. 4. That it is known it is a frequent habit with these coasting vessels to arrive at this port and not report their cargoes, and take their departure hence without a transire.

89. The Board would recommend that the collector of customs be instructed to exercise the strictest supervision over the coasting trade, with the view to remedy the evil complained of; and if he has not at present means at his disposal for the purpose, that he be furnished with it as soon as possible.

#### PROHIBITION TO THE SALE OF ARMS AND AMMUNITION.

90. With respect to the law prohibiting the sale of arms and ammunition to natives, the Board is of opinion that it should be more strictly enforced. Some of the evidence taken on the subject goes to show that this law is also evaded, though not to the same extent as the one relating to spirits. It would also appear that the prohibition is not viewed in the same favourable light by the native tribes, many of whom regard it wholly as a precaution taken against them, with the design of depriving them of the means of defence in the event of hostilities taking place between the races. That such a precaution is fair and justifiable is, however, fully admitted by them; and while the acts of the Government are such as to keep up a general feeling of confidence in the native mind, no ill effects are likely to result from the carrying out of the law. The existence of deadly feuds between the tribes furnishes a sufficient reason for the continuance of the prohibition, and makes it desirable that the Government should forbid, if it cannot prevent, their being supplied with arms and ammunition to be used for their mutual destruction.

91. The Board would, however, recommend that the prohibition should not be so strictly interpreted as to preclude the chiefs and respectable men of the loyal tribes from purchasing

powder and shot in small quantities, for sporting purposes, upon proper application to the authorities for permission to do so, on the same terms as Europeans.

It is believed that the natives generally do not look upon either of these laws as oppressive or unjust, nor that they are disposed to question the right of the Government to lay such restrictions as it may think desirable upon the English people, and upon the commodities brought here by us; but with this right of control they also associate a responsibility resting with the Government, for whatever consequences may result to them from our occupation and colonization of the country.

#### SCHOOLS.

92. The Board is of opinion that the support hitherto given to schools now receiving aid should be continued, as at present, until another system can be brought into operation, and after that time also if the said schools are found to fulfil the specified conditions of the new system.

93. The conditions of the new system, which the Board would recommend, are as follows:—

94. That a board of Education be appointed by the Governor to distribute the entire funds which may from year to year be available for educational purposes.

95. That all the existing schools, on application to the Board, should be assisted in proportion to the number of schools who are being taught to speak, read, write, and cypher in the English language.

96. That the teachers of the said schools be approved of by the Board.

97. That the scholars be taken at as early an age as possible.

98. That every new school which might in future be established, and could show that it was in a position to carry out these conditions, should receive aid in proportion to the number of its pupils.

99. The Board is of opinion that no extensive system of schools can take place without the natives being induced to contribute towards their support. They should be called upon to give land as endowments for this purpose, to assist in the building of new school-houses, and to co-operate generally in making the schools self-supporting as far as possible.

100. That a paid inspector should be appointed by the Board, who should have a seat at the Board. His duties should be to visit and report upon each school at least once in every year, to organize and establish new schools, and to urge on the natives the value of education, and the necessity of giving it their support and assistance.

#### THE PRESS.

101. The Board is of opinion that the press should be used as much as possible for the diffusion of useful knowledge among the natives; and that the *Maori Messenger* should be printed every week, and agents appointed through the country for receiving and distributing it.

102. That a list of these agents should be printed in the paper itself, so that the natives may know where to apply for copies.

103. That one copy be directed and sent gratuitously to chiefs, assessors, and native teachers, and two copies to each mission station; and that for all the other copies a small charge should be made, so as to get the natives as soon as possible out of the habit of expecting to get things for nothing.

#### MEDICAL MEN AND RESIDENT MAGISTRATES FOR INTERIOR.

104. Medical men, who could act as resident magistrates, would be of service in the interior, and in this light would be virtually political agent. It does not appear that a bush inn is required in connection with the establishment of a magistrate—an ordinary rest-house for travellers, where beds and eatables were provided, would be more suited to the wants of this country. The localities where resident magistrates are established at present are—Auckland, Wellington, New Plymouth, Bay of Islands, Monganui, Rotorua, Hawke's Bay, Kaipara, Rangiawhia. New stations recommended:—Whangaroa (West Coast), Otaki, Wangarei, Kawhia.

#### DRESS OF HONOUR.

105. A dress of honour does not appear to be of much consequence in the eyes of the natives. A good, plain, useful, and distinct dress might be given as an official uniform to the assessors; but if a mark of approbation is intended, a native would think more of a present of a plough or other agricultural instrument.

#### NATIVE HOSTELRY.

106. The accommodation for natives visiting Auckland is very defective. The hostelry is kept in a very filthy state, and is very unpopular with them; so much so, that however inclement the weather, they prefer camping along the narrow strip of sandy beach between the roadway in Mechanics' Bay and high-water mark. The Board would recommend that the hostelry be divided into four compartments, with brick fireplaces in each, and floored with boards throughout. To insure cleanliness and order, the building should be placed under the charge of a person who should be required to live near the place, and be responsible for the carrying out of a simple code of regulations, which it might be necessary to enforce.



107. The Board has been informed that an ample space of ground surrounds the present hostelry, and has been granted to trustees for the purpose of the natives. It conceives, therefore, that enlarged accommodation might be afforded to the natives, and that with a little judicious management the establishment might be made in part self-supporting.

108. The natives bring large supplies of agricultural produce to the town, and at present are obliged to pile it along the beach. In addition to the present building there is required a few small storehouses, each of which could be securely locked up, for the protection of property deposited therein.

109. The Board is impressed with the conviction that before the natives can all be brought under the complete control of the laws, that the Government must, in the first place, take upon itself the office of instructor—that the instruction of the natives requires to be taken up where the efforts of the missionaries necessarily cease. It is to be regretted that there has been an evident falling away of a large number of natives from the teaching of the missionaries, and they may now be divided into three classes of about equal numbers of each.

First. The heathens, comprising mostly the old people and old chiefs.

Second. The Christians who have fallen away, and have ceased to be under the control of the chiefs or the influence of the missionaries.

Third. The consistent Christians, who are the advocates of good order wherever they are found.

They are at the same time the steady supporters of the Government, and desire the introduction of our laws and customs.

110. In conclusion, the Board is of opinion, after a review of the whole subject before it, that the present transition state of the native population requires the greatest caution and solicitude on the part of the Government.

111. That as many antagonistical elements are at work among them, it will be the cause of much restlessness. The advocates of their old customs and laws will not be slow to turn every temporary cause of dissatisfaction to their own views and purposes, and attempts to create a general bad impression, both to the Europeans and Government, may in future be expected. Hitherto a combination among the tribes was thought impossible, but it is seen that the peace and security afforded by the presence of the Europeans has had the effect of doing away with much of the jealousy and distrust existing formerly between them, by affording them more frequent opportunities of intercourse. They now seem capable of acting more in concert.

112. There cannot be anything more desirable than to bring the two races under exactly similar laws, but it is not altogether practicable at present; every step of the Government, however, should have this ultimate object in view. At present their governancy and guidance must partake of the parental authority, rather than as being based entirely upon a strict adherence to the requirements of the British laws, the nice distinctions of which they do not at present comprehend. All native races, situated as they are, look more to the persons governing than to the abstract principles upon which government is formed, and which civilized communities are wont to give in their adherence.

C. W. LIGAR,  
Chairman of the Board.

On the 10th February, 1857, Mr. Labouchere received from Governor Browne "The Land Claims Settlement Act," and a report of the select committee of the House of Representatives on the nature and extent of outstanding land claims. The Act provided for the appointment of commissioners as a court of record, with power to hear and determine old land claims, and examine and dispose of grants under same and pre-emptive claims—the commissioners not to hear any new claim, or any claims in right of which grants have been issued, or any claims lapsed through default of claimant. Where lands, to which claimant may be declared entitled, have been alienated, commissioners may direct compensation in other land.

On the 17th March, 1857, Mr. Labouchere received from Governor Browne a memoir on the state and progress of civilization among the Maoris by Dr. Thomson, 58th Regiment, of which the following are the principal parts:—

On the progress of civilization among the New Zealanders, with remarks on the means requisite to promote this object:—

*False and True Proofs of Civilization.*—The progress of civilization in communities, like  
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geological changes in the earth's surface, are noiseless events, which pass unheeded among men mingling in the daily affairs of life. It is, therefore, not singular that some writers consider the New Zealanders have made great advances in civilization,\* while others describe their progress as nothing.† Opinions so opposite are caused by drawing conclusions from erroneous premises. Sir Fowell Buxton thought the plough furnished the best test of civilization, while others deduce their proofs from the conduct of men towards women, the proportion of the people able to read and write, or have skill in arts and sciences, or give indications of the power of mind over matter. But it is utterly impossible to convey a true idea of the state of civilization among the New Zealanders by any of these fanciful methods. Such tests of civilization are the reasonings of men who have never observed a nation in a transition state; for there cannot be a greater error than drawing from a few things, or from the advancement of a small number of energetic men, proofs of the civilization of a whole people. There are New Zealanders who have a good knowledge of geography, arithmetic and history; are deeply read in the Bible; are in holy orders; lend money, and keep running accounts at banks; treat women with consideration; can read and write, and act as interpreters between settlers and their own race; can calculate the cubic contents of a heap of firewood; the area of a plot of ground, so as to sow two bushels of wheat to the acre; the live weight of a pig, and its value at threepence a pound, deducting one-fifth as offal; are conversant with the principle of striking for higher wages; can make gunpowder, hew stones, plough, navigate ships with the compass; can play chess tolerably, and draughts imitatively; can train and ride racehorses, and have dived into jockeyism, by attempting to change a horse for the second heat; can build wooden houses, dance quadrilles, dress like dandies, and compose songs and tales. Such men among the New Zealanders are, however, exceptions to the general rule, and no correct idea of the civilization of the people can be drawn from them. True civilization only exists in countries where the mass of the people are suitably clothed for the climate, have abundance of food in winter and summer, live in proper houses, have a knowledge of the art of war, are increasing in numbers, treat women with consideration, believe in a future state, have property, some knowledge of medicine, and certain laws based on the golden rule. But this is not all. Men cannot, like animals living by instinct, remain stationary. Nations go back if they do not advance. It is therefore a necessary element of true civilization, that one generation have more of these physical and moral goods than that which preceded it; in other words, the best test of civilization is progress. Such civilization can be measured by the amount of free labour the people exchange in purchasing articles of usefulness and gratification.

*Proofs of Progressive Civilization.*

The following chronological statement shows the progressive civilization now going on among the New Zealanders:—

STATE OF NEW ZEALANDERS IN THE YEARS

1770.	1836.	1856.
1. Cannibals . . . . .	Cannibalism practised . . . . .	No instance of cannibalism since 1843.
2. Wars frequent . . . . .	Wars frequent . . . . .	No general civil war for sixteen years.
3. Great knowledge of war without firearms.	Great knowledge of war with firearms against firearms.	Knowledge of war to resist Europeans armed with cannon—have no cannon themselves.
4. Murder frequent from superstition.	Murder from superstition not so frequent as in 1770 . . . . .	Murders from superstition less frequent than in 1836.
5. Child murder common . . . . .	Child murder common . . . . .	Child murder still prevails.
6. Strangers not tolerated . . . . .	Strangers tolerated . . . . .	Great anxiety to have English settlements near their villages.
7. One-tenth of the people slaves.	One-tenth of the people slaves . . . . .	Slavery extinct.
8. Dr. Foster estimated the population at 100,000.	Population estimated at 120,000 . . . . .	Population estimated at 60,000.
9. Language unwritten . . . . .	Language written . . . . .	Language written—several useful works printed in it.
10. Population not protected against small-pox.	Not protected against small-pox . . . . .	Two-thirds of the people vaccinated.
11. No potatoes, pigs, or cattle . . . . .	Potatoes, fowls, and pigs abundant.	Potatoes, pigs, and cattle abundant.
12. Plough unknown . . . . .	Plough unused . . . . .	Plough in frequent use.
13. Wheat unknown . . . . .	Wheat rarely cultivated . . . . .	Extensive wheat cultivations.
14. No foreign commerce . . . . .	Commerce with ships . . . . .	Commerce with ships and English settlements.
15. Native laws in force . . . . .	Native laws in force . . . . .	Occasional reference to English laws.
16. Houses badly ventilated . . . . .	Houses badly ventilated . . . . .	Houses badly ventilated—there are a few wooden houses.

\* Sir George Grey, New Zealand Parliamentary Papers, from 1845 to 1853.

† Fox's Six Colonies in New Zealand.

1770.	1836.	1856.
17. Clad in native dress . . .	Blankets common . . .	Perfect native dress rare—imperfect European dress and blankets universal.
18. Food scarce in winter . . .	Food more abundant, from the introduction of pigs, maize, and potatoes.	Food more abundant from the addition of wheat and cattle.
19. The dead never interred . . .	Dead occasionally interred . . .	Dead always interred.
20. No half-castes . . .	A few half-castes . . .	Upwards of 1,000 of the population with Caucasian blood in their veins.
21. No firearms . . .	Firearms and powder abundant . . .	Firearms and double-barrelled guns abundant.
22. Tea and sugar unknown . . .	Tea and sugar rarely used . . .	Tea and sugar in frequent use.
23. No European settlers . . .	Upwards of 1,000 settlers . . .	Upwards of 35,000 settlers.
24. European ships plundered . . .	European ships plundered to obtain powder.	167 barrels of stolen powder were restored without an appeal to force in 1856.
25. Tobacco and spirits unknown . . .	Tobacco-smoking common—spirit-drinking rare.	Tobacco smoking universal—spirits occasionally drank.
26. Iron nails and cloth taken as payment for curiosities.	Guns, powder, tobacco, blankets, &c., taken in exchange for flax, pigs, and potatoes.	Money alone an article of exchange.
27. Women subjected to much labour.	Women subjected to much labour	Women do much labour.
28. Native mode of cooking . . .	Native mode of cooking . . .	Pots, pans, and English cookery in use.
29. Christianity unknown . . .	1,500 Christians . . .	45,000 Christians.
30. Mechanical arts confined to carving and canoe making.	No advance in mechanical arts . . .	Many natives can rudely imitate carpenters.
31. Believed in a future state . . .	Believed in a future state . . .	Believe in a future state.
32. Property held in common . . .	Property held in common . . .	Moveable property individualised in some instances—land rarely.
33. Wars, feasts, tapus, the subjects of conversation.	Wars, firearms, selling land, trade, and the missionaries, were the subjects of conversation.	Trade, ships, flour-mills, horses, vessels, sowing wheat, Kauri gum, carts, prices of things, subjects of conversation.
34. The people lived in fortified villages.	The people lived in fortified villages.	The people are scattering themselves about the country—fortified places out of repair.
35. "Come on shore, and we will eat you all," were defiant words used to some of the early navigators.	Several chiefs dying this year, urged their followers to carry on war, but to protect the missionaries.	Paharama te Witi, at a public dinner at Taranaki, in 1854, said: "When I die, I will bid farewell to my children in these words:—'Adieu, my children! My last advice to you is to attach yourselves to the settlers, and follow their customs all your lives.'"

On the 12th January, 1859, Sir E. Bulwer Lytton, Bart., received from Governor Browne copies of two Acts—"The Native District Regulation Act, 1858," and "The Native Circuit Courts Act, 1858;" and on the same date he received a memorandum on native affairs by Mr. Richmond.

*Auckland, 27th April, 1860.*

That the present crisis in the affairs of New Zealand may be properly understood, it is, in the first place, requisite to give some account of the views and intentions of the native agitators known in the colony as the Maori, or Waikato, King party. The contest in Taranaki, between the British Government and the chief Wiremu Kingi and his followers, derives all its importance from its connection with this movement. For without the sympathy and expected support of the Waikato league, the Taranaki natives would never have ventured upon armed resistance to the British Government.

The first proposal for the erection of a separate native state under the Waikato chief Te Whero Whero (now generally called Potatau) seems to have been made as far back as 1854. There was at first considerable diversity of opinion amongst the promoters of the movement, and great consequent uncertainty as to its precise objects. Many well-disposed natives seem to have joined in it without any thought of disaffection towards the British Government, and purely, or principally, with a view to establish some more powerful control over the disorders of their race than the Colonial Government has found it possible to attempt. But there are others whose objects have been, from the beginning, less loyal. These men have viewed with extreme jealousy the extension of the settled territory and the increase of the European population. Various influences have combined to augment the effect on their minds of this natural feeling. The lower class of settlers, sometimes wantonly, sometimes under provocation, have held out threats of a coming time when the whole race will be reduced to a servile condition. Of late a degraded portion of the newspaper press has teemed with menaces of this kind, and with scurrilous abuse of the natives and all who take an interest in their welfare. False notions respecting the purposes of the British authorities have been industriously spread by Europeans inimical to the Government, and whose traitorous counsels enable them to maintain a lucrative influence over their credulous native clients. And there may have been some few honest friends of the Maoris, who, looking only to the better side of the agitation, have given countenance to a movement which, in their

opinion, promised to promote the establishment of law and order, and the advance of civilization, and to afford a beneficial stimulus to the languishing energy of the Maori people.

The Government at one time entertained a hope—a hope now deferred, but not abandoned—that the good elements in the King movement might gain the ascendancy, and become the means of raising the native population in the social scale. It must, however, be admitted that the agitation has of late assumed a most dangerous phase.

The two objects of the league may now be affirmed to be, first, the subversion of the Queen's sovereignty over the northern island of New Zealand, and secondly, the prohibition of all further alienation of territory to the Crown.

As regards the first object, the more advanced partisans of the Maori King now distinctly declare that the Queen of England may, for aught they know, be a great sovereign in her own country, but that here, in New Zealand, she shall become subordinate to their native monarch from whom the British Governor shall take his instructions; the utmost conceded to the Queen is an equal standing with King Potatau.

The absolute prohibition of further land sales is a necessary part of the new policy. For it is plainly seen that unless the further colonization of the country can be put a stop to, the Europeans will shortly outnumber the natives even in the Northern Provinces.

The general sentiment of the New Zealanders with respect to their territorial possessions entirely harmonizes with the views of the king makers. The Maori feels keenly the parting with his rights over the lands of his ancestors. The expressive words of the deeds of cession declare that, under the bright sun of the day of sale, he has wept over and bidden adieu to the territory which he cedes to the Queen. It is in vain to assure him that the land remains open to him upon the same terms as to the European settler. He cannot see the matter in this light. The soil, with all its memories, and the dignity conferred by its possession, have passed over to the stranger, and in its place he has acquired only perishable goods or money, which is speedily dissipated. The land-holding policy of the king party is popular, because it secures to every native the occupation, in savage independence, of extensive tracts of wild land.

When the first emigrant ships arrived at Port Nicholson, and landed their hundreds of colonists, the natives are said to have wept at the sight. They had been told, but had not believed, that the foreigners were coming to settle in great numbers upon the land which the agent of the colonizing company had just acquired. They had not realized to themselves that their country was about to be occupied by a civilized race in such force as to be able to hold its ground in spite of native resistance. The New Zealanders have always been fond of having amongst them a few Europeans, dependent on their good-will, but they love to remain masters. It is the notion of the king party that the settlers in New Zealand should be placed much on the same footing as the European squatter in a native village, whose knowledge and mechanical skill procure for him a certain amount of respect and influence, but whose homestead is held on sufferance, and who is obliged to comport himself accordingly. "Send away the Governor and the soldiers," they say, "and we will take care of the Pakehas."

The old chief Te Whero Whero, who has been a firm ally of the British Government, has been removed by his relatives of the new faction from his late residence at Mangere, near Auckland, to a place called Ngaruawahia, at the confluence of the Waikato with its principal feeder, the Waipa. There his supporters have established the old man (who seems to lend himself unwillingly to the farce) in a kind of regal state. The deputation despatched from Taranaki to solicit support for W. King were clothed for the occasion in a uniform dress. They approached in military order. At a given signal all fell on their knees, whilst some one in a loud voice recited the text, "Love the brotherhood. Fear God. Honour the king!" After the interview the deputation retired, facing towards the royal presence. They appeared to have been well drilled in this ceremonial.

The absurdity of these pretensions does not render them less dangerous. Unfortunately, they are supported in the minds of the natives by an overweening opinion of their own warlike skill and resources. It must be confessed that the imperfect success of military operations in New Zealand has given some countenance to the natives' fixed opinion of their own superiority. In the debates of the Maori Council at Ngaruawahia, the experience of the wars against Haki and Rangihaeata, and of the Wanganui war, are constantly referred to as showing how little is to be feared from the prowess and the boasted warlike appliances of the Pakeha.

As regards the further alienation of territory, the received interpretation of the treaty of Waitangi recognizes rights in the native proprietor, which must be respected, however inconvenient those rights may prove. But it would not be politic, or safe, or right, to submit to the attempted usurpation of a power obstructing the settlement of the country which the admitted interpretation will not warrant. The treaty secures to the native proprietor the right to part with to the Crown, or to retain for himself, lands which are his own. The king party would assert a national property in, or sovereign right over, the remaining native territory, and are ready to support all opposition to land sales, without nice inquiry respecting, and even without reference to, the merits of each particular case. In this they infringe at once upon the rights of the Crown and of the native proprietor.

It is by no means meant to assert that all who have joined, or who favour, the party of the Maori King propose to themselves ends so dangerous and unjustifiable. Potatou himself is probably sincerely averse to any proceedings hostile to the Government. It is, however, uncertain how far he may have power to restrain his people, and it is undeniable that sentiments quite as strong as those above described are freely expressed throughout the districts south of Auckland, and may be expected to shape the action of a large part of the powerful tribes of Waikato.

Such, then, is the party to whom William King, of Waitara, is looking for support, and it is to be feared, with some prospect of success; and it now becomes necessary to give some explanation of the origin of the present disturbance at Taranaki.

The settlement of New Plymouth was founded in 1841 by the Plymouth Company of New Zealand, which subsequently merged in the New Zealand Company. There were at that time scarcely any natives in the district. Some had fled southward, to Cook's Straits, to avoid the invading Waikatos. Many others, who had been captured on the storming of the Ngatiawa stronghold, Pukerangiora, still remained slaves in the Waikato country. The New Zealand Company's agent had purchased of the resident natives, with the assent of some of their relatives at Port Nicholson and Queen Charlotte's Sound, a tract of country extending from the Sugar Loaf Islands to a place called Taniwa, between three and four miles north of the Waitara River. The block extended about fifteen miles along the coast, and contained 60,000 acres. It included the land now the subject of dispute. After the arrival of the settlers, the refugee Ngatiawas and manumitted slaves from Waikato, began to return in great numbers, and disputed possession of the block with the settlers. So completely, however, was the Waikato right of conquest admitted, that their permission was sought, and obtained by the returning Ngatia was before they ventured to set foot in the district. The Waikatos had, however, previously transferred their rights to the British Government by the Deed of Cession, which will be presently referred to.

In 1844 the Land Claims Commissioner, Mr. Spain, investigated the New Zealand Company's title, and reported in favour of their purchase. But Governor Fitzroy took a different view of the rights of the absent and enslaved Ngatiawa, and refused to confirm Mr. Spain's award.

In consideration of an additional payment, the returned natives consented to surrender a small block of 3,500 acres, comprising the town site; and within these narrow limits the British settlement was for some time confined. Other small blocks were subsequently, from time to time, acquired, and the settlement now extends for a distance along the coast of about five miles in each direction, north and south, from the town. The European population amounts to upwards of 2,600 souls, greatly outnumbering the resident natives.

The northern boundary of the settlement is little more than four miles from Waitara. But on this side of the town the Crown lands are intermixed with territory over which the native title has not been extinguished. A singular spectacle is here presented of peaceful English homesteads alternating with fortified Pas, which command the road to the town at many points, unpleasantly reminding the spectator that the savage law of might still rules in this fair district.

It need scarcely be said that the occupants of these Pas do not regard themselves, and practically are not, amenable to British jurisdiction. Since 1854, they have been in continual feud amongst themselves, and there has been a succession of battles, and of murders, in close proximity to the settled territory. A chief has been slaughtered on the Bell Block; skirmishing natives have sought cover behind the hedge-rows; and balls fired in an encounter have struck the roof of a settler's house.

These feuds have arisen out of disputes as to the title to land. One native faction has been steadfastly opposed to the alienation of territory to the Crown; the other party has been not less passionately determined to sell, and the contest has been as to their right to do so. The sellers naturally carry with them the sympathy of the colonists, who feel that an extension of the settlement would bring, not simply a material prosperity which this unfortunate place has never known, but also the far greater blessings of peace, security, and the prevalence of British law.

It is obvious that in such a state of things the relations of the two races, thus closely intermixed, must be full of peril. The embarrassment to the Government is extreme; but without some knowledge of the native character, its extent will not be fully apprehended. When a native has offered to cede land to the Crown, his pride (perhaps the strongest passion of a chief) is committed to carry the sale into effect against all opposition; and it may be equally dangerous to the peace of the country to accept or refuse the offer. If the offer be accepted, the Government becomes involved in difficulties with the opposing party; if refused, the seller will seek to revenge himself upon his opponent, or become disaffected towards the Government that has put a slight upon him. If his passion does not turn in either of these directions, he will probably persevere in his attempts to induce the Governor to purchase, thus keeping open a source of agitation and peril. Taranaki is by no means the sole seat of such difficulties. At the present juncture in the affairs of the colony the Government is, in other quarters, placed in a similar dilemma, and is in the greatest danger of

alienating those chiefs who are friendly by the rigid scrutiny to which it is requisite to subject their offers of land. The truest policy would be a fearless administration of justice between the contending parties. Unfortunately, to determine absolutely what is just is often impossible in these cases; and were this otherwise, the British Government is not in a position to enforce its award.

In March, 1859, the present Governor visited New Plymouth, and on the 8th of that month held a public meeting of all the principal chiefs of the district, the native secretary, Mr. McLean, acting as interpreter. The proceedings had reference to the establishment of British law throughout the Taranaki district; and in the course of his address, the Governor said, "He thought the Maoris would be wise to sell the land they could not use themselves, as what they retained would then become more valuable than the whole had previously been. He never would consent to buy land without an undisputed title. He would not permit any one to interfere in the sale of land unless he owned part of it. On the other hand, he would buy no man's land without his consent."

Immediately after this declaration by the Governor, a Waitara native, named Teira, stepped forward, and, speaking for himself and a considerable party of natives owning land at Waitara, declared that he was desirous of ceding a block at the mouth of the river, on the south bank. He minutely described the boundaries of the block, stating that the claims of himself and his party went beyond those limits, but that he purposely confined his offer to what indisputably belonged to himself and his friends. Being a man of standing, and his offer unexpected by many present, he was listened to with the greatest attention, and concluded by inquiring if the Governor would buy his land. Mr. McLean replied that the Governor accepted the offer conditionally on Teira's making out his title. Teira then advanced, and laid a native mat at the Governor's feet, thereby symbolically placing his land at his Excellency's disposal. Teira's right was denied by none except a native named Paora, who informed the Governor that Teira could not sell without the consent of Weterika and himself. Teira replied that Weterika was dying (he is since dead), and that Paora was bound by the act of his relative Hemi, who concurred in the sale. William King then rose, but, before addressing the Governor, said to his people, "I wish only to say a few words, and then we will depart." Then, turning to the Governor, he said, "Listen, Governor: notwithstanding Teira's offer, I will not permit the sale of Waitara to the Pakeha. Waitara is in my hands; I will not give it up; e kore, e kore (I will not, I will not, I will not); I have spoken:" and thereupon abruptly withdrew with his people.

William King was one of the Ngatiawa who had retired to Cook's Straits, whence he returned to Taranaki in 1848. Though a well-born chief, his land claims were not considerable, and lie chiefly, if not wholly, to the north of Waitara. On his return to Taranaki, being still in fear of the Waikatos, he applied to Tamati Rara. Teira's father, for permission to build a Pa on the south bank, which was granted. He put up his Pa accordingly, close to one occupied by Teira's party; but his cultivations are on the north side of the river. Rawiri Raupongo, Tamati Rara, Retimana, and the other members of Teira's party, have cultivated the block sold to the Governor. But King has been joined by a number of natives, who have gathered about him since his settlement at Waitara; and these men have encroached with their cultivations upon the proper owners. This has been a source of dissension, and one reason determining the sellers to part with their land. King's particular followers, who have been enjoying the use of the land, without any claim to share in the proceeds of its sale, naturally support him in his opposition.

During the space of eight months which elapsed between the first offer and the final acceptance of the land, opportunity has been freely afforded to adverse claimants to come forward and establish their right. The last occasion was on the 29th November, 1859, on the payment of the first instalment of the purchase-money, which was probably done in presence of King and a large number of Europeans and natives. On that occasion, a document setting forth the boundaries of the block was read to the assembled natives by Mr. Parris. Appended to the document was a declaration, on behalf of the Governor, that if any man could prove his claim to any piece of land within the boundary described, such claim would be respected, and the claimant might hold or sell as he thought fit. No such claim, however, was put forward.

The question of title is one on which persons not versed in the intricacies of native usage cannot expect to form an independent judgment. It is a question to be determined upon authority. The native secretary, Mr. McLean, who, in addition to his general experience, has a special acquaintance with the Taranaki land question, dating back to 1844, denies King's right to interfere. The Rev. John Whiteley, Wesleyan Missionary at New Plymouth, and Mr. Parris, the District Land Purchase Commissioner, both of whom have had a long acquaintance with the subject, agree with the native secretary. A very valuable testimony to the same effect is furnished by a letter recently addressed to various chiefs of Waikato and Mokau by Wi Tako, a Ngatiawa chief, a translation of which is appended to this memorandum.

Wi Tako's evidence carries great weight; as his prepossessions are adverse to the British Government. For some time he has been strenuously advocating the cause of the Maori king, and the letter in question was actually written by him whilst on his return to Wellington

from Ngaruawahia, where he had been attending the deliberations of the Maori Council. It is said that he was specially deputed by Potatau to inquire into the merits of the Waitara question.

W. King himself does not assert a right of property, as plainly appears from Mr. Parris's official report of the meeting, already referred to, of 29th November, 1859. In answer to the question publicly put, "Does the land belong to Teira's party?" King says, "Yes, the land is theirs, but I will not let them sell it." Again, being asked, "Why will you oppose their selling what is their own?" he replies, "Because I do not wish that the land should be disturbed, and, though they have floated it, I will not let it go to sea. It is enough, Parris, their bellies are full with the sight of the money you have promised them. But don't give it them. If you do, I will not let you have the land, but will take it and cultivate it myself."

King's stand is really taken upon his position as a chief; and possibly, had the Ngatiawa not been broken up and driven from their territory, or had the circumstances of King's re-establishment at Waitara been different, his birth might have given him the command over the tribe which he pretends to exercise. It is enough to say that King's right to dictate to them is not recognized by the principal men of the Ngatiawa in Taranaki, and that its attempted exercise is the real cause of the disturbances which have so long vexed the district.

Still less would Te Whero Whero and the chiefs of Waikato have countenanced King's ambitious views until the rise amongst them of the new ideas of which an exposition has been given in the former part of this memorandum. The Waikatos themselves, claiming the district by right of conquest, transferred their rights to the Crown in 1842, by deed of cession, of which a copy is annexed. The boundaries named in the deed extend from Tongaporutu, ten miles south of Mōkau, to the Waitotara River, near Wanganui. This deed was relied upon as, at all events, precluding the interfering of Waikato in the Taranaki question.

It now seems that this reliance was not well founded. But should the tribes of Waikato take arms in a case in which they have so little concern, in which the Governor is so clearly in the right, and in which they are themselves so pledged and bound to support his Excellency, it will be manifest that the state of their feeling was such as that by no possible sacrifice of interest, honour, and principle, could a rupture have been long avoided; and in that case it might be, on the whole, matter of reasonable congratulation that the British Government should have come openly to an issue with the King party before the preparations of the enemy were complete. The districts north of Auckland are yet firm in their allegiance; but everywhere else in the Northern Island the determination to shake off the British dominion has been steadily gaining ground. The agents of Government hear it everywhere avowed by natives that their desire is to humble the Government (*whakaiti te kawanatanga*), and to recover for the future Maori nation the sovereignty which they were, in their childish ignorance, beguiled to part with to Queen Victoria. The Waitara purchase has brought the Government front to front with the King party before the preparations of the latter were complete. To use the phrase employed by themselves in answer to the deputation from Taranaki, "Thū Pa is not built."

A view of the present political state of the natives would be incomplete if notice were omitted of the part taken by the Ngatiruanui and Taranaki tribes, who inhabit the country extending from New Plymouth southward, round the base of Mount Egmont, to the river Patea. The people have long cherished designs against the British settlers, and as far back as 1853 invited Katatōre, the Puketapu chief, to join them in an attack on New Plymouth. Katatōre, much to his credit, firmly refused to be a party to an unprovoked atrocity, and disclosed the correspondence to the British authorities. These people have seized the occasion of the Waitara dispute to attempt the execution of their old project, which is nothing less than the extermination of the whites. They have commenced with murders already reported to the Secretary of State, and though happily repulsed with loss at Waireka, when on their way to attack the town of New Plymouth, they are, according to the latest intelligence, preparing for a fresh attempt.

That a war between natives and settlers would be of a most merciless character is probable, from the approbation which many of the Waikato natives express of the murders of defenceless settlers perpetrated by the Taranaki and Ngatiruanui tribes. These people have shown that they are still savages, as rapacious and bloodthirsty as their forefathers. May it not be justly feared that in a contest with the settlers the impressions produced on the natives by forty years of Christian teaching would be obliterated? Former wars had a chivalrous character which cannot be looked for in the impending struggle.

The colonists, as a body, are in no degree responsible, directly or through their representatives, for the existing state of affairs; they have never had the direction of native policy; nor have they dictated or even suggested the acts of the Imperial Government in its relations with the natives; but they approve of the stand made by his Excellency in the Taranaki case, and are naturally willing, as their present attitude proves, to risk life itself in the maintenance of the Queen's authority over the islands of New Zealand.

At the same time, it is evident that the resources of so small a community are unequal to sustain, unaided, a prolonged war with the aborigines. Industrial pursuits would be brought to a stand-still. Under continued pressure the better part of the population would

drain off to neighbouring colonies—their places being supplied by lawless and desperate men from both shores of the Pacific. The colony, in a word, would be ruined. Nor would the natives themselves fare better. The contending forces would be nearly matched, and the weak cannot afford to be merciful. All modes of warfare would be deemed legitimate against a savage foe; and though the Maoris might for a time gain the ascendant, their ultimate extermination would be a matter of certainty.

Justice, therefore, and humanity require that England should freely recognize the onerous duties cast upon her by the colonization of New Zealand. To avert calamities such as seem impend, it is indispensable to place at the disposal of the Governor a military and naval force, adequate to support him in a policy of equal justice to the two races which have been placed by Providence in a relation to each other so singular and difficult.

On the 18th May, 1859, Lord Carnarvon answered the various despatches of Governor T. Gore Browne, acknowledging the receipt of the following Acts passed by the Legislature of New Zealand, as follows:—

No. 41. An Act to regulate the local affairs of native districts.

No. 42. An Act to make better provision for the administration of justice in native districts.

No. 79. An Act to enable the Governor to establish a settlement for colonization in the Bay of Islands.

No. 80. An Act to enable the native tribes of New Zealand to have their territorial rights ascertained, and to authorize the issue in certain cases of Crown grants to the natives.

I wish in the first place to acknowledge the care, ability, and sound judgment with which these bills appear in most respects to have been adapted to the character and circumstances of the native tribes; and if I am unable in some respects to give effect to the policy of your advisers, I wish them to believe that this does not arise from any want of reliance on their desire to advance the well-being of the natives, nor of their capacity to deal with the important and delicate questions on which that well-being depends, but from my conviction that circumstances do not yet justify the Imperial Government in abdication the responsibilities which at present rest on it with regard to that remarkable race.

The Act No. 41 appears to me, on the whole, wisely framed, and to bear great promise of usefulness. The second clause, however, is open to an objection, on the grounds which I have already indicated. It not only invests the Governor in Council with the virtual power of making laws affecting, in many most important respects, the rights and habits of the natives (a power which I readily concede, on the understanding that the Governor will exercise a personal discretion in consenting to them), but it omits to secure to the Crown its customary right of disallowance. If, however, that right is indispensable with regard to laws which are passed by the representatives of the colonists, for the furtherance and protection of their own interests, much more is it necessary in regard to regulations enacted by the Governor and Council for people whom they cannot in any sense be said to represent. I have felt much doubt whether I could properly advise her Majesty to leave to its operation a law which was open to so important an objection. But, believing that the Act is on the whole in the direction of a wise and useful legislation, and that the Legislature of New Zealand will see the justice of the view which I have stated upon this single point of objection, I have been reluctant, by a disallowance *in toto* of the Act, to entail the public inconvenience which might occur, and the long delay which must necessarily elapse before legislative provision could be again made to meet the objects in view. I have, therefore, laid the Act before her Majesty, who has been pleased to leave it to its operation. Unless, however, the Legislature should consent to amend it by enacting that all regulations made in pursuance of the second clause shall be subject to disallowance by her Majesty, it may be necessary to consider under what conditions your assent could be properly given to them, and it may be necessary to require, previous to such consent, than any rules which could by possibility give occasion for dispute or discontent among the natives should contain a proviso either suspending their operation till the consent of the Home Government is obtained, or (which would probably be more convenient) expressly empowering the Crown to disallow them. To the Acts numbered 42 and 79, I see no objection. The former has, therefore, been left to its operation by her Majesty, and the latter (which is reserved for the signification of her Majesty's pleasure) will be confirmed by Order in Council.

I much regret that I have not been able to advise the same course respecting the Act No. 80, which appears to me open to various important objections. In the first place, the proposed issue of certificates of native title, under the express authority of the Colonial Government, involves important questions which are not adverted to in your despatch. It is no doubt most desirable that the disputes of the natives respecting the right to land, should no longer be settled by arms, and that the occupation of land in severalty by the natives should be encouraged. But with regard to the plan which is submitted to me for this purpose, I am bound to ask myself, whether in case the decisions of the Governor in Council on titles to land, should be resisted by the natives, the British Government are prepared to promise



such a military force as may be sufficient to enforce them. If any such expectation could be held out, it would be clearly necessary that the decisions which imposed so much responsibility and expense on the Home Government should be taken by an officer solely responsible to that Government, and not to the colonists. If (as is the case) no such expectation could be held out, it is more than questionable whether the moral influence of the European Government would not suffer by the issue of certificates of title which the natives would be at liberty to disregard with impunity.

It appears to me, therefore, in every respect better than the establishment of tribal and other titles, and the acquisition by individual natives of property in severalty, should be facilitated not by the issue of formal documents, appearing to rest on the authority, and involve the guarantee of the Government, but by the cautious enactment of rules respecting the occupation of land, which are contemplated in the second section of the Act No. 41.

I perceive, however, that the proposed scheme has a further object, and that it is intended to furnish a means of ultimately enabling individual colonists to purchase the landed property granted in severalty to individual natives. There can be no doubt that the passing of the present Act would be very speedily followed by a change, or rather revolution in the system of land purchase, in the direction indicated by your advisers. But such a change I conceive to be in the highest degree unadvisable. The present system of land purchase appears, as far as I can judge, to be understood and acquiesced in by the natives, and to be working well for the colony, while the pecuniary difficulty suggested by your advisers is one which it is in the power of the local legislature to provide against.

On the other hand, the system of individual purchase is, to say the least, opposed to the spirit of the New Zealand Government Act (15 & 16 Vict. c. 72, s. 73), and it is open to important objections in point of policy; it offers no sufficient guarantee for the fairness of the negotiations which have preceded the transfer; it invests the Government with a discretion in respect of sanctioning purchases which can scarcely be exercised without incurring the suspicion of favouritism; it will encourage speculators to anticipate (and thus obstruct) the progress of settlement, by appropriating choice and commanding spots of land within the native territory, and induce an intermixture of European with native lands, calculated to cause confusion and inconvenience. I hold it, therefore, far more advisable that Government should purchase territories than that individuals should purchase properties, so that the line which separates the purchased lands on which European law is to prevail from the unpurchased on which the native usages will continue to subsist, though always advancing, will be broad and unequivocal.

I also feel strongly the probability that the proposed tax of 10s. an acre on every sale may rouse the distrust of the natives, and that the proposed mode of sale, while it encourages individual land jobbing among one class of the natives, may irritate others who see the lands which have belonged to their tribe passing from within their reach, without themselves receiving their share of the profits. If, indeed, the Imperial Government were prepared to depart from the arrangements already sanctioned, and to transfer the management of native affairs from the Governor, acting under instructions from this country, and through a staff of permanent officers, to an officer responsible to the colonists, and changing with the Government, it might be considered that the system of land purchase from the natives was to be decided upon by colonial and not imperial authority. But this view of the subject I am not able to accept; her Majesty's Government wish to give the fullest effect to the system of responsible government, and to leave all questions of domestic and internal interest to be decided by the Colonial Government, but they cannot, either for the sake of the colonists or for that of the natives, or for imperial interests, surrender the control over native affairs, the administration of which has been, up to the present time, considering the difficulties and intricacies of the subject, crowned with a very remarkable success, and is paving the way towards that complete civilization and consolidation of the native race with the English colonists, which her Majesty's Government, not less than the local Government, desire to see effected. And whilst her Majesty's Government feel themselves constrained to justify to Parliament the large expense which every year is incurred for the maintenance of a military force in New Zealand for the defence of the colony, and for the better control and regulation of the native race, they must retain in their hands the administration of those affairs which at any moment may involve the employment of those troops, and the consequences of an expensive conflict. So long as the colony for this purpose enjoys the advantage of military and naval protection, her Majesty's Government cannot consent to yield a point which, in their opinion, is so intimately connected with the security of the colony, the justice due to native claims, and the issues of peace or war itself.

Convinced, therefore, that the proposed Act is calculated to effect hazardous alterations in a system, the working of which does not at present appear open to any practical objection, I have been unable to recommend that this Act should be confirmed by her Majesty, and it will accordingly remain inoperative.

And on the 15th December, 1859, the Duke of Newcastle received from  
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Governor T. Gore Browne a despatch, stating his views on the subject of waste lands belonging to the aboriginal natives, as follows:—

The right of pre-emption over native land having been reserved to her Majesty by the treaty of Waitangi, it was reasonably assumed that the right would always be exercised when the natives desired to sell on equitable terms. At that time, and for some years after, however, the governors had not at their disposal funds sufficient for the purpose. It is true that the Middle Island was acquired for an almost nominal sum, and large tracts in the Northern Island have been purchased at prices varying between a farthing and sixpence an acre; but there still remain many millions of acres, which we now vainly desire to acquire, which might in those days have been bought at a cost too insignificant to be calculated by the acre.

With the increase of the European population, land has necessarily acquired an additional value; the natives have seen the lands they alienated for farthings resold for pounds; they feel that dominion and power, or, as they term it, "substance," went from them with the territories they alienated, and they look with apprehension to the annihilation of their nationality. The consequence of this feeling has been the formation of a league to prevent the alienation of land, commenced by the tribes on the Waikato before my arrival in the colony, and which has since been combined with the so-called King movement. Assuming the whole of the Northern Island to contain twenty-six millions of acres, and that the native title has been extinguished over seven millions, there remain nineteen millions of acres owned or occupied by about 57,000 Maoris. A large portion of this consists of mountain and dense forest, but the remainder, which includes some valuable land, is greatly in excess of all their possible wants. The Europeans covet these lands, and are determined to enter in and possess them *recte si possunt, si non, quocumque modo*. This determination becomes daily more apparent. A member of the Auckland Provincial Council stated in the Council that "the fault lay in the system of acquiring land from the natives. We were called upon to leave them the best land, and sacrifice ourselves to sympathy for the natives, and all that kind of humbug. The settlers had no room for their stock, and would be obliged to set Government at defiance. Hitherto the settlers here had been a law-obeying community, but when once the Rubicon was passed, it was impossible to say how far they might go. There was something higher than the law, namely, the framers of the law and the source of all law, the people. They had new arrivals landing here every day, and they might say, what right, for instance, had a parcel of natives at Coromandel, like dogs in a manger, to keep everybody out of that rich district? People would soon begin to act on the old principle of letting land belong to those who can keep it. It was impossible to prevent the Anglo-Saxon overcoming the natives; and the Europeans, if they could not get land with the consent, must get it without the consent of the Government." This speech was highly applauded in one of the journals; while another (*Southern Cross*) keeps up a continued agitation on the subject of enfranchising native lands, reminding its readers that "one well-written address, placarded at every kainga in the country, would raise a fever of excitement (among the natives) which all the anodynes and opiates of the native department would be incompetent to allay."—*Southern Cross*, 16th August, 1859. Another journal (23rd July, 1859) says,—"General Assembly vote, for what are called native purposes, was a gigantic fraud." The Tamaki settlers, after using arguments refuted by my despatch, No. 52 of 14th July last, and by the returns from the superintendent, published with their own letter, state that they must "leave lands from the natives, leave the province, or be ruined."

I have shown, in the despatch above referred to, that it is not want of land, but the want of artificial grass; or, in plain terms, want of capital to replace the indigenous fern with grass (an exotic in nearly the whole of this province), which is the real want of the complainants. The desire to possess lands which can be made remunerative at once, without expense, will not, however, be diminished by any exposition of the real state of the case; and there are lands in the south of this province, which the natives are unwilling to alienate, where grass grows naturally, and these are the lands so eagerly coveted. But even there the natural grass is so sparse and inferior, that four or five acres would be required to feed a sheep, instead of one acre being sufficient for four or five sheep, as is the case when artificial grass is cultivated. I will not stop to point out how few would be satisfied if I were to consent to the leasing of these lands; how completely they would be withdrawn from the market; and for how long they would necessarily continue unimproved.

A stream of immigration is pouring thousands of settlers into this province every year, and if it continues the population will be doubled in a very short time. Soon, therefore, a want of available land will really be experienced, and it cannot be concealed that neither law nor equity will prevent the occupation of native lands by Europeans when the latter are strong enough to defy both the native owners and the Government, as will be the case ere long; and then it will be seen whether or not the Maoris will prove an exception to the rule which seems universal, namely, that the aboriginal savages must fade away before their civilised Christian brethren. The immediate consequence of any attempt to acquire Maori lands without previously extinguishing the native title to the satisfaction of all having an

interest in them, would be an universal outbreak, in which many innocent Europeans would perish, and colonization would be indefinitely retarded, but the native race would be eventually extirpated.

The Imperial Government having, however, declared unequivocally its determination that even colonization must be a subordinate consideration to the duty of maintaining the substantial rights of the aborigines, and that their full and intelligent consent to alienate must be an indispensable preliminary in the acquisition of native lands, it remains to be considered in what manner these objects can be most effectually secured, apprehensions for the future most completely allayed, and provision made for the wants of European settlers and expected immigrants. The interests of the two races are really identical, but they are not so apparently; and whenever the pressure from without is sufficiently strong, it is evident that a ministry, responsible to a popular assembly, must and will yield. Add also the change of opinion necessarily consequent upon a change of ministry, and it will be admitted that the Governor's advisers in Maori affairs should be responsible to the Crown and not to the Assembly.

Perhaps it may be urged that the Governor alone should be held responsible for the conduct of native affairs; but he, like other functionaries, is liable to change; I recommend, therefore, that the Governor should be assisted by a permanent council for native affairs, to be nominated by the Crown; that it should consist of, say, seven members, and in order to bring this council into relation with the Government of the settlers, I propose that the responsible\* ministry should have the power of recommending two persons to her Majesty; that the Governor should recommend five, three of whom should be paid; that the members of the council should be responsible to the Crown, and removable only by an order from the Secretary of State; that the relations of the Governor to this council should be identical with those conveyed in the royal instructions of 1855, preserving his entire responsibility.

It has been urged, and not without reason, that a nominated council would be a target for abuse and misrepresentation from all sides; but in a colony no one should quit the obscurity of private life, or seek to rise above insignificance in office, who is unable or unwilling to encounter and disregard both the one and the other. If such men as the Bishop of New Zealand and Dr. Martin (the late Chief Justice) could be induced to occupy seats in a council nominated by the Crown (unpaid), calumny would fall harmless and unheeded, while the presence of men so well known and so thoroughly trusted by the Maoris, would secure to it an influence which no other European body could possibly acquire. Acting in accordance with such a council, the Governor should prepare regulations based on the following data, and submit them for confirmation by her Majesty's Government:—

1. That in the settlement of waste lands, over which the native title has not been extinguished, the real interests of the aboriginal owners should be matter for primary consideration.

2. That such a portion of their own land as is necessary for their use and support should be secured to them, and made inalienable under Crown title.

3. That ample reserves should be made in each district for education and other purposes, exclusively for the use of the Maori race.

4. That (the provisions of the two preceding sections having been first secured) in the districts chiefly occupied by Europeans, well ascertained native title to land, limited in extent by fixed rules, should be clothed with a Crown title, and be alienable in the usual manner.

5. That in districts specially proclaimed for the purpose, the Governor should be enabled to accept land, and cause it to be sold by auction for the benefit of the aboriginal owners.

6. That the Governor in Council should be empowered to borrow money for the foregoing purposes, and for the laying out and preparing settlements, the same to be a lien upon the land acquired from the natives; that these objects should be secured in such a manner that no pressure on the local government should prevent their being attained and maintained.

Having settled these points every exertion should be made to acquire all remaining lands which are at present not only useless but harmful to the aborigines, and which will soon be much required for colonization by the Europeans.

To enable your grace to form a correct opinion on the subject, I enclose a map showing the lands acquired from the natives, and those over which native title has not yet been extinguished. A reference to this map will show you that the Europeans have acquired but little land in the central part of the Northern Island. Over these districts a large portion of the Maori population are thinly scattered, and a little to the north of the Taupo Lake dwell the Waikato tribes, who have set up a king among themselves, and have succeeded in establishing a league against selling land, which extends over a large part of that territory.

I need not say, therefore, that there is great difficulty in acquiring such an extent of land in these districts, as would be sufficient for a settlement of Europeans, strong enough to support itself; and though individuals are quite ready to incur the risk, yet as soon as they believed themselves injured, they would not fail to appeal to the Government for redress. I propose, therefore, to adopt a system, which would insure such advantages to the natives, as might induce them to sell their lands more freely to the Crown, and not to permit the settle-

\*The valuable opinions in the enclosures induce me to consider the expediency of this proposition somewhat doubtful.

ment of Europeans in isolated spots, nor until a block of land had been acquired sufficient in extent for a plantation strong enough to support itself. For this purpose I suggest that the Governor in Council (nominated by the Crown) should take steps to explain to the Maoris, that whenever they choose to dispose of their lands to the Crown, provision will be made for them upon a regular system; namely, that after survey, a fixed portion, say two-tenths of the land, should be set apart and re-conveyed to the owners under Crown grant (for the details of which see enclosure marked 2); and another portion, say one-tenth, should be retained as a reserve for public purposes exclusively for the use of the Maoris; that when a sufficient extent of land suitable for the purpose had been acquired (not less than 30,000 acres), and all the conditions of purchase fulfilled (including any works the performance of which may have formed part of the conditions), the remainder should be transferred to the local government for settlement, in the usual manner as at present.

The receipts arising from the sale of these lands to be appropriated, first, towards defraying all loans and expenses incident to the acquisition of the land and its preparation for settlement; the remainder to be divided into fixed portions, one of which should be applied for the use of schools and other matters affecting the moral and social improvement of the Maori race in the locality from whence it is derived.

I now turn to another part of the subject. By reference to the map your grace will perceive that certain portions of the Northern Island are so spotted by Europeans that it would be very difficult to introduce any plan of settlement applicable to all parts of the island. In certain districts, therefore, the main object should be—1st. To secure to individuals of the native race under Crown title a sufficient extent of land, and to render it inalienable except by consent of the Governor in Council; and, where such a course appears necessary, to clothe the well ascertained native title with a Crown title, which shall be alienable in the usual manner. 2nd. To set apart such general reserves as are necessary for religion, education, and public purposes. 3rd. To provide for the settlement of disputes arising from the devolution of intestate estates on descendants or collateral heirs.

Having made these provisions for the well-being of the aborigines, I think it would be desirable to facilitate the acquisition of lands by the Europeans in every way which can be safely adopted. Whenever a European indicates a portion of land which the natives are willing to sell to him, the Governor should, at his instance, endeavour to extinguish the native title on the following conditions: that all land so acquired shall be sold by public auction at an upset price to be fixed by the Governor, being at not less than five shillings per acre, plus the cost of survey; the purchaser to pay, say 10 per cent., to the Government on receiving a Crown grant; that the applicant shall give security that he will pay all expenses of survey, &c., and purchase the quantity agreed on upon the terms specified, provided no higher price is offered for it at auction; that for the better performance of these acts; the Governor in Council (nominated by the Crown) should draw up a code of regulations to be submitted from time to time for the approval of her Majesty's Government.

In both these plans it will be absolutely necessary that some fixed portion of the revenue raised from the sale of native lands, and also a portion (say one-tenth) of the land ceded, should be reserved for the moral, social, and religious improvement of the Maoris; for it is not to be supposed that the Assembly will always continue to make grants for native purposes; nor even now are the grants (though very liberal when considered as grants) nearly sufficient for the proper administration of justice, the maintenance of hospitals, education, and other matters which must not be neglected if the civilization of the Maori youth is to be really advanced. At present you will perceive that the Government has no power to issue Crown grants, or to provide for the future welfare of the natives except by making general reserves, which necessarily come under the operation of the Native Reserves Act, and this Act has failed to give satisfaction to the natives for whose benefit it was specially intended. These are the outlines of the two schemes which I venture to submit for your grace's consideration; not as a panacea for all evils, or as what will entirely satisfy the discontented, but as being in themselves systematic, and an improvement upon the system now in operation.

In the foregoing details I have not alluded to one of many difficulties attending the management of a race in a lower state of civilisation than the dominant one, which is, in a certain sense, associated with it. I refer to the constant abuse and misrepresentation heaped upon the meritorious department by which native affairs are conducted; in speaking of it, the *post hoc* is too often replaced by the *propter hoc*, and it is not seldom looked upon as an obstacle to be destroyed by fair means or by foul. Among Europeans this sort of language is so prevalent, that it has no other effect than that of rendering those most subject to it callous and indifferent to public opinion, but it has a very injurious effect upon the natives. Ignorant of what the press really is, they lose confidence in those whom (it is the undisputed interest of all) they should trust and respect, and believe every idle and malicious report circulated among them by disaffected persons. Articles headed "Extinction of the Native Race," coupled with attacks on Sir George Grey and the native department, have a most insidious effect. I am well aware that there is no remedy for such an abuse of the freedom of the press, but I allude to it as proving the necessity for a council formed of men thoroughly known and respected by the natives, who would be personally indifferent to calumny and above its influence.

Finally, I have endeavoured to submit the case to your grace in all its aspects, as seen by those who differ from me, as well as by those with whom I agree. The views and opinions contained both in this despatch and its enclosures are those of individuals; but coming events are already casting shadows before them, which it will not be safe to disregard. In the Northern Island two races divide the land unequally between them; they will soon be equal in number. The inferior race possess millions of acres they cannot use. The superior covet the superfluous waste; and unless means are devised for reconciling the interests of the one with the other, collision, attended with calamity to one race, and annihilation to the other, is inevitable.

To prevent this the controlling power, whether in the hands of a Governor or of a Governor and Council, must be strengthened. One power, namely, that of securing absolutely to the aboriginal natives the possession of so much of their property as is necessary for their present and future support, and to prevent their becoming pauperized, must be entrusted to some authority in this country. Assuming that your grace will consider further legislation indispensable, it remains to be determined whether the settlement of the waste lands of the aboriginal natives of New Zealand and the preservation of their rights are subjects for imperial or for colonial legislation. An Act of the Imperial Parliament would, of course, be attended with many advantages. It would secure permanence, give confidence, and prevent annual discussion in the local legislature, which, in native affairs, is much to be deprecated. This course is strongly recommended by Dr. Martin and Mr. Swainson, and others, whose knowledge and experience entitle their opinions to every consideration.

If, on the other hand (after considering the views and opinions of my responsible advisers as contained in their draft bills and memoranda), you think it advisable that the subject should be submitted to the General Assembly of New Zealand, I beg you will do me the favour to cause the draft of a bill containing the points you consider essential to be prepared by the legal advisers of the Crown, and direct me to transmit it to the Assembly by message, as provided for by the 55th clause of the Constitution Act. I trust that the data I have supplied will be sufficient to enable your grace to judge what ought to be done to prevent the consequences apprehended, and to secure this remarkable race from the fate which has hitherto befallen all who have obstructed the path of those who, possessing the superiority of high civilization, are hurried on by the desire of aggrandizement, and the eager pursuit of wealth.

The case is one that presses, and I regret much that it has not been in my power to submit it for the consideration of her Majesty's Government at an earlier period; but I only received Lord Carnarvon's despatch, No. 34, on the 16th July, and it has been impossible to collect the materials which form the enclosures in time for an earlier mail. The Assembly will meet for its next session at Wellington, on the 31st March, 1860, and I ought to be in possession of your views as soon after that time as may be possible; I therefore beg the favour of an early answer.

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#### COLONIAL POSSESSIONS.

*Reports on the Past and Present State of her Majesty's Colonial Possessions for the Year 1858; Statistical Tables, relating to the Colonial and other Possessions of the United Kingdom for the Year 1858.*

#### EAST INDIES.

*Area and Population.*—The area of India, in the year 1859, was, British States, 851,038 square miles; other states, 625,278: total, 1,476,316 square miles. *Population.*—British States, 135,442,911; other states, 50,465,366: total, 185,908,277. There were, in Bengal, Madras, Bombay, the North-West Provinces, and Punjaub, 11,495 colleges and schools, with 166,742 pupils in daily attendance, at a total cost of 243,572*l*. The number of emigrants to Mauritius in 1858-59 was 39,392; to India, 6,781: total, 46,123.

*Revenue and Expenditure.*—In 1858, the revenue in India was 31,706,776*l*; the expenditure, 35,078,528*l*; deficiency, 3,371,752*l*; home charges, 6,162,043*l*; net deficiency, 9,533,795*l*. In the territories and departments under the immediate control of the Government of India the revenue was 2,031,773*l*; the expenditure, 13,642,507*l*. In Bengal, the

revenue was 1,237,998*l*.; the expenditure, 4,331,947*l*. In the North-Western Provinces,—revenue, 3,047,925*l*.; expenditure, 2,320,089*l*. In Madras,—revenue, 5,678,275*l*.; expenditure, 6,485,755*l*. In Bombay,—revenue, 6,116,499*l*.; expenditure, 6,665,877*l*. In Punjaub,—revenue, 2,452,306*l*.; expenditure, 1,632,353*l*. The gross revenue consisted of—land, 15,317,911*l*.; excise, 49,751*l*. Sayer, such as town duties, tolls, licenses, &c., and Abkarry, or taxes on the manufacture or sale of spirituous liquors, 1,169,703*l*.; Moturpha, or taxes on houses, shops, looms, &c., 107,826*l*.; Mint, 363,516*l*.; Post-office, 389,493*l*.; Stamp, 456,363*l*.; customs, 2,148,834*l*.; salt, 2,131,346*l*.; opium, 6,864,209*l*.; miscellaneous, 2,707,824*l*.: total gross receipts, 31,706,776*l*.; net, 27,396,852*l*. The expenditure was as follows:—In India,—civil and political establishments, 4,051,677*l*.; judicial and police charges, 2,358,481*l*.; military, 15,570,310*l*.; marine and pilotage, 993,402*l*.; interest of debt, 2,196,672*l*.; other charges, comprising collection of revenue, 9,430,950*l*.: total, 35,078,528*l*. Home charges,—payments in England, 4,492,470*l*.; value of stores sent from England to India, 1,669,573*l*.: total, 41,240,576*l*.

*Public Debt*.—The Indian debt was 60,704,084*l*. In England—Bond debt, 5,864,400*l*.; debenture loans, 2,905,000*l*.: total, 69,473,484*l*. Interest, 2,355,838*l*. Of the registered Indian debt, 38,000,000*l*. was at 4 per cent., and 14,000,000*l*. at 5 per cent.; the Treasury notes, 1,000,000*l*. at 4½ per cent.; the temporary loans at 5 per cent.; the bond debt in England at 4 per cent. *Coinage*.—In the ten years from 1848–49 to 1858–59 there were issued by the mints in India 778,975*l*. gold, 54,281,032*l*. silver, 671,540*l*. copper: total, 55,731,547*l*.

*Shipping*.—In the year ended 30th April, 1858, there were entered and cleared at ports in British India as follows:—Entered—European and others not native, 4,261 vessels, 2,256,565 tons; native, 17,551 vessels, 636,038 tons. Cleared—European and others not native, 4,566 vessels, 2,217,920 tons; native, 17,094 vessels, 645,873 tons. Total—8,827 vessels, 4,474,485 tons European and others not native; and 34,645 vessels, 1,281,911 tons native. In Bengal—Entered, 2,229 vessels, 1,192,346 tons; cleared, 2,245 vessels, 1,109,282 tons: total, 4,474 vessels, 2,301,628 tons. Madras—Entered, 7,091 vessels, 772,032 tons; cleared, 8,575 vessels, 915,167 tons: total, 15,666 vessels, 1,687,199 tons. Bombay—Entered, 12,492 vessel, 928,225 tons; cleared, 19,840 vessels, 839,344 tons: total, 23,332 vessels, 1,767,569 tons. Of 1,801,514 tons entered at ports in British India, 666,840 tons were from the United Kingdom, 201,573 tons from Ceylon, 164,139 tons from New South Wales, 160,700 tons from America North and South; and of 2,256,563 tons entered, 1,770,000 tons were British, 200,000 tons were American. *Imports and Exports*.—The value of imports, including treasure, was 31,093,065*l*.; and of exports, 28,278,474*l*. The distribution of imports was—Bengal, 14,960,502*l*.; Madras, 2,253,096*l*.; Bombay, 13,609,467*l*. The value of merchandise was 15,277,629*l*.; of treasure, 15,815,436*l*. In Bengal there were imported—Merchandise, 7,774,291*l*.; treasure, 7,186,211*l*.: Madras—Merchandise, 1,355,832*l*.; treasure, 1,167,264*l*.: Bombay—Merchandise, 6,147,506*l*.; treasure, 7,461,961*l*. Total—Merchandise, 15,277,629*l*.; treasure, 15,815,436*l*. Total, 31,093,065*l*. Of the 15,277,629*l*. merchandise imported, 11,932,383*l*. were from the United Kingdom, 915,858*l*. from China; and of 15,815,697*l*. treasure, there were imported from the United

Kingdom, 5,889,166*l.*; from China, 2,501,790*l.*; and from Suez, 4,209,358*l.* The merchandize imported consisted principally of 5,720,684*l.* cotton twist and piece goods, 949,274*l.* military stores, 494,054*l.* iron, 465,453*l.* machinery, &c. The total exports amounted to 28,278,474*l.*; of which, 27,456,056*l.* merchandize, 822,438*l.* treasure. The exports were, from Bengal, 13,579,431*l.*; from Madras, 2,665,920*l.*; from Bombay, 12,033,123*l.* The exports were directed as follows: to the United Kingdom, 10,669,848*l.*; to China, 9,500,808*l.*; to France, 1,513,286*l.*; to Penang, Singapore, and Malacca, 1,472,226*l.*, &c. The exports consisted principally of opium, 9,106,635*l.*; grain, 3,790,373*l.*; cotton raw, 4,301,768*l.*; dyes, indigo, &c., 1,857,462*l.*; saltpetre, 1,380,001*l.*; sugar, 1,175,771*l.* The opium was principally exported to China.

## CANADA.

The population according to the census of January, 1852, was—Upper Canada, 952,004; Lower Canada, 890,261: total, 1,842,265. The revenue amounted to 1,985,457*l.*, and the expenditure to 2,565,808*l.* The navigation, sea and inland, was entered 4,996,652 tons; cleared, 3,509,904 tons. During the year 1858, there were built 85 sailing-vessels, 24,560 tons; 17 steam-vessels, 2,677 tons; and registered—110 sailing-vessels, 27,158 tons; 21 steam-vessels, 3,156 tons; total, 131 vessels, 30,314 tons. The value of imports was 6,542,669*l.*, and of exports 5,281,337*l.* The principal articles of exports were timber, animals, produce of animals, agricultural products, ashes, fish, copper, &c. The rate of customs duty imposed upon the principal articles was as follows:—

Coffee, green, per lb., 1 cent.  
Molasses, per gal., 4 cents.  
Dried fruits, per lb., 3 cents.  
Spirits, brandy, per gal., 1 dol.  
Ditto, cordials, per gal., 1 dol.  
Ditto, gin, per gal., 80 cents.  
Ditto, rum, per gal., 50 cents.  
Ditto, whisky, per gal., 18 cents.  
Wine in wood, not exceeding in value 10*l.* per pipe, per gal., 20 cents.  
Ditto, over 10*l.* and not exceeding 15*l.*, per gal., 30 cents.  
Ditto, over 15*l.* and not exceeding 20*l.*, per gal., 40 cents.  
Ditto, over 20*l.*, per gal., 50 cents.  
Wine in quarts, not exceeding in value 1*l.* per dozen, per doz., 1 dol. 50 cent.  
Ditto, over 1*l.* and not exceeding 2*l.*, per doz., 2 dols.  
Ditto, over 2*l.* and not exceeding 3*l.*, per doz., 2 dols. 50 cents.  
Ditto, over 3*l.*, per doz., 3 dols.  
Sugar, refined, whether in loaves or lumps, candied, crushed, powdered, or granulated, or in any other form, White Bastard Sugar, or other sugar equal to refined sugar in quality, per 100 lbs., 2 dols. 50 cents.  
Ditto, White Clayed or Yellow Bastard, or any kind equal in quality to the same, but not equal to refined, per 100 lbs. 1 dol. 75 cents.  
Ditto, Brown Clayed, Muscovado, or raw, of any kind not equal to the sugars last named, per 100 lbs., 1 dol. 30 cents.

Sugar, raw, for refining only, and not within 25 per cent. of the value of the last-named sugar, per 100 lbs., 90 cents.  
Spices, unenumerated, per lb., unground, 7 cents.; ground, 10 cents.  
Ditto, mustard, cloves, cassia, and cinnamon, per lb., mustard, 5 cents.  
Ditto, ginger, pimento, pepper, and starch, per lb.: starch, 5 cents.; unground, 4 cents.; ground, 6 cents.  
Ditto, mace and nutmegs, per lb., 25 cents.  
Tea, not exceeding in value 18 cents, per lb., 3 cents.  
Ditto, exceeding in value 18 cents, per lb., 4 cents.  
Tobacco, manufactured, not exceeding in value 20 cents., per lb., 5 cents.  
Ditto, exceeding 20 cents and not exceeding 40 cents, per lb., 7½ cents.  
Ditto, exceeding 40 cents, per lb., 10 cents.

*Manufactures.*

Clothes, made by hand or sewing machine, ad valorem, 25 per cent.  
Cotton, ad valorem, 15 per cent.  
Drugs and medicine, ad valorem, 15 per cent.  
Earthenware and crockery, ad valorem, 15 per cent.  
Fancy goods, ad valorem, 15 per cent.  
Glass and glassware, ad valorem, 20 per cent.  
Hats and caps, not fur, ad valorem, 20 per cent.  
Iron and hardware, ad valorem, 15 per cent.

Leather, boots and shoes, and other, ad valorem, 25 per cent.	Paints and colours, ad valorem, 20 per cent.
Ditto, tanned, ad valorem, 15 per cent.	Silk, ad valorem, 15 per cent.
Linen, ad valorem, 15 per cent.	Stationery, ad valorem, 15 per cent.
Machinery for the manufacture of doors, window-sashes, blinds, &c., ad valorem, 15 per cent.	Wood, ad valorem, 20 per cent.
Ditto, other kinds, ad valorem, 15 per cent.	Woollens, ad valorem, 20 per cent.
	Iron, bar, rod, and sheets, ad valorem, 5 per cent.
	Ditto, railroad bars, ad valorem, 5 per cent.

## NEW BRUNSWICK.

The population in 1851 was 193,800. In 1858 there were two collegiate schools, 111 scholars; 14 grammar schools, 711 schools; 762 common schools, 24,138 scholars. The revenue was 106,963*l.*; the expenditure, 132,549*l.* There were entered 3,146 vessels, 573,473 tons; and cleared, 3,157 vessels, 597,157 tons. The value of imports was 1,162,771*l.*; and of exports, 810,779*l.* The rates of customs duties on the principal articles were as follows:—

Boots and shoes, ad valorem, 17½ per cent.	Spirits, gin and whisky, per gal., 2 <i>s.</i> 6 <i>d.</i> currency, and 2½ per cent.
Haberdashery, including cottons, woollens, velvets, silks, dress furs, umbrellas, cotton wick, wearing apparel, and oil clothing, ad valorem, 12½ per cent.	Ditto, rum and all other spirits, per gal., 1 <i>s.</i> 6 <i>d.</i> currency, and 2½ per cent.
Hardware, ad valorem, 12½ per cent.	Sugar, refined in loaves, per lb., 1½ <i>d.</i> currency, and 2½ per cent.
Iron, wrought and cast, ad valorem, 12½ per cent.	Ditto, all other kinds, per lb., 1 <i>d.</i> currency, and 2½ per cent.
Ditto, bolts, bars, plates, sheets, old, and railroad iron, ad valorem, 3½ per cent.	Ditto, raw, per cwt., 6 <i>s.</i> currency, and 2½ per cent.
Leather, sole, upper, harness, and belt, per lb., 2 <i>d.</i> and 2½ per cent.	Tobacco, manufactured, per lb., 2 <i>d.</i> currency, and 2½ per cent.
Machinery, ad valorem, 12½ per cent.	Tea, per lb., 2 <i>d.</i> currency, and 2½ per cent.
Spirits, alcohol, per gal., 1 <i>s.</i> 6 <i>d.</i> currency, and 2½ per cent.	Wines, per gal., 2 <i>s.</i> 6 <i>d.</i> currency, and 12½ per cent.
Ditto, brandy, per gal., 4 <i>s.</i> currency, and 2½ per cent.	

## PRINCE EDWARD ISLAND.

In the year 1856 the population was 71,496. There were 244 schools, 1,133 scholars. The revenue was 22,195*l.*, and the expenditure, 28,846*l.* There were entered 1,032 vessels, 73,715 tons; and cleared, 1,038 vessels, 81,682 ton. The imports were 186,229*l.*; the exports, 153,071*l.* The rates of customs duties on the principal articles were as follows:—

Dry goods, ad valorem, 6½ per cent.	Spirits, brandy, per gal., 2 <i>s.</i> 8 <i>d.</i>
Hardware and cutlery, ad valorem, 6½ per cent.	Ditto, gin, per gal., 2 <i>s.</i> 8 <i>d.</i>
Leather, harness, ad valorem, 5 per cent.	Ditto, rum, per gal., 2 <i>s.</i>
Ditto, sole, per lb., 0½ <i>d.</i>	Tea, per lb., 2 <i>d.</i>
Leather, ware, ad valorem, 10 per cent.	Tobacco, manufactured, per lb., 2½ <i>d.</i>

The Government of the colony does not in any way contribute towards the sustentation of any ecclesiastical establishment. The system of education under the "Free Education Act" has, by a small tax, placed the means of a common English education within the reach of all, as fully one-third of the whole revenue of the colony is expended on that department. The salary paid to teachers generally being only 33*l.* 6*s.* 8*d.*, but quite as much as the present resources of the colony will admit of, it necessarily follows that the attainments of the teachers are not as good as could be wished. It is also desirable that the character of the present

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academy should be raised to that of a collegiate school, as that institution has retrograded instead of having advanced. The estimated amount of paper currency in circulation during the year 1858, compared with 1857, is less by 53,933*l.*, the principal difference being in the estimated amount of the notes in circulation of the British North American colonies, being 45,000*l.*, there can be no doubt that the estimate for 1857 was far in excess, and it is more than probable that the estimate for 1858 rather exceeds than otherwise the actual amount in circulation. The remaining sum is mostly made up by the difference in the amount of bank paper in circulation.

#### NEWFOUNDLAND.

The population in 1857 was 122,638. The revenue was 141,128*l.*; the expenditure, 173,965*l.* The tonnage entered was 1,440 vessels, 188,000 tons; cleared, 175,609 tons. The imports, 1,172,862*l.*; the exports, 1,318,836*l.* The rates of customs duties on the principal articles were as follows:—

Beer and cider, bottled, per gal., 3 <i>d.</i>	Sugar, unrefined, per cwt., 7 <i>s.</i> 6 <i>d.</i>
Biscuit and bread, per cwt., 3 <i>d.</i>	Tea, per lb., 4 <i>d.</i>
Butter, per cwt., 3 <i>s.</i>	Tobacco, manufactured, per lb., 3 <i>d.</i>
Coffee, per lb., 1 <i>d.</i>	Wines, bottled, per gal., 4 <i>s.</i>
Leather, manufactures of, ad valorem, 10 per cent.	Ditto, unbottled, viz. port, madeira, hock, burgundy, and claret, per gal., 4 <i>s.</i>
Molasses, per gal., 2 <i>d.</i>	Ditto, sherry, per gal., 2 <i>s.</i> 6 <i>d.</i> , and 12½ per cent.
Salt, per ton, 6 <i>d.</i>	Ditto, other wines, per gal., 4 <i>s.</i>
Spirits: brandy, gin, cordials, per gal., 4 <i>s.</i>	Goods, ad valorem, 5 and 7½ per cent.
Ditto, rum, per gal., 1 <i>s.</i> 6 <i>d.</i>	Goods imported into St. John's, 10 per cent.
Sugar, refined, per cwt., 12 <i>s.</i>	

Cod fish, seal oil, cod oil, and seal skins are the staple produce, and it is satisfactory to find that the exported values of these articles have been progressively increasing, as well as the imports and tonnage. On an average for the last seven years, I find the value of cod fish exported was 723,980*l.*; value of cod and seal oil, 377,410*l.*; seal skins, 82,047*l.*: total, 1,183,437*l.* This is exclusive of the produce exported from the Labrador and St. George's Bay, which cannot be estimated at less than 325,000*l.*, and all this large balance is the produce of the sea adjoining the coast of this island.

#### BERMUDA.

The population in 1851 was 10,982; of which, 4,569 white, and 6,413 coloured. The revenue was 15,803*l.*; expenses, 15,161*l.* There were entered in 1858 204 vessels, 42,366 tons; and cleared, 185 vessels, 37,258 tons. The value of imports, 141,203*l.*; and of exports, 27,210*l.* The rates of customs duties on the principal articles were as follows:—Malt liquors, per hhd., 15*s.*; per doz., 9*d.* Spirits—alcohol, brandy, gin, shrub, whisky, cordials, per gal., 2*s.* 6*d.*; rum, per gal., 2*s.* Wine, ad valorem, 1856, 20 per cent. Unenumerated goods, ad valorem, 2½ per cent.

#### HONDURAS.

The estimated population in 1858 was 19,000. The revenue, 27,848*l.*; expenditure, 24,127*l.* The tonnage entered, 186 vessels, 28,722 tons; and cleared, 175 vessels, 26,591 tons. The value of imports, 207,908*l.*; of exports, 380,378*l.* The rates of customs duties on the principal articles were as follows:—

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Cattle, per head, 4s.  
 Cigars, per 1,000, 12s.  
 Coffee, per 100 lbs., 8s.  
 Lumber, per m. feet, 8s.  
 Malt liquors, per imp. gal., 6d.  
 Cider, per doz. bottles, 1s.  
 Spirits and cordials, per gal., 2s.

Tea, per lb., 1s.  
 Tobacco, per 100 lbs., 12s.  
 Wine, per gal., 2s.  
 Duty on all articles, 1 per cent.  
 Duty on unrated articles, 2½ per cent.  
 Extra duty on wines, spirits, and cordials,  
 per imp. gal., 1s.

*Political Franchise.*—Electors must be of the age of twenty-one, natural born or naturalized by law, and possessed of real property of 7*l*. sterling annual value, or in occupation of lands or houses at a rental of 7*l*. sterling per annum, and for six months previous to registration in like possession; or shall be at the time of and for six months previous to registration in receipt of an annual salary of 100*l*. sterling.

The natural features of this territory are so peculiar, and have had so marked an effect in moulding the character and directing the occupations of the people, that I must first notice them. Along the whole of our coast, which extends north and south about 200 miles, at an average distance of from forty to sixty miles, runs a perfect breakwater, consisting of cays of every size and shape, from the half-acre patch to the island thirty miles long. Thus Honduras has the advantage of possessing a sea with purifying tides and currents, but no waves. This circumstance, together with its numerous rivers on whose bars smooth water is continually to be found, gives to the settlement a facility of communication between the several districts which I should think unequalled. The cays, which from their position are of so much benefit, have likewise their intrinsic value. On them are grown the greater number of the thousands of cocoa-nuts annually exported. They form also places of sanitary refuge during the hot damp months. Being in general composed merely of sand and coral, without mould, they support no vegetation but the cocoa-nut tree, whose boughs meet over the small houses and produce a permanent shelter from the sun. As the cocoa-nut palm dries up in dying, no vegetable decay taints the air which blows as pure as over a ship at sea. The favourite cays are provided with wells of fresh water. Abundance of fish is to be caught on the reef to windward; and conchs, turtle, and lobsters on the sandy shoal under the lee.

In the interior of the continental portion of the settlement the communication is principally kept up by means of the rivers. Beginning in the north; there is, first, the deep and sluggish Hondo, which, with its three branches, carries navigation beyond our limits. The Hondo is interesting, as being the boundary between this territory and Mexico, or, more correctly, between us and the revived Maya Republic, which is now supreme in southern Yucatan. The one side presents a scene of total ruin and devastation. Not a house standing, not a Spaniard left alive. The other is still happily enlivened by the industry of the English woodcutters. Ten miles from the Hondo is the mouth of the New River; a stream hideous in its lower parts, where the boatman paddles for miles, or trims the sails of his schooner, through dense forests of mangrove, in which he cannot find a solid spot of ground whereon to set his foot. Alligators revel in the mud, and miasmata fill the air. This, however, is the river upon which the greatest number of large crafts is seen, for after ascending some fifteen or twenty miles the banks become firm, then gradually rise, and pretty Spanish villages—San Estevan, Santa Cruz, and Orange Walk, appear. Higher up, again, an immense lake is found, with streams of fresh

water pouring in on all sides and bearing down to this central basin the logwood to be shipped in the "bungay" (Spanish schooner), and the mahogany to be formed into rafts.

Proceeding southward, the Freshwater and Northern Rivers are passed; each with its numerous lagoons tapping a vast extent of country. Then comes the main outlet of the magnificent Belize River, about three miles from the smaller branch upon which this town is built. Five miles from Belize is the Sibun. The scenery here changes. The sea has approached nearer to the mountains, and in six miles from the river's mouth the alligators and mangrove are left behind. Then for two days' journey up stream the whole aspect of things is pleasing and cheerful. Human habitations are never lost sight of. Oranges, shaddocks, forbidden fruit, and mangoes grow in such abundance as to have, under a barrel full, no money value. Luxuriant patches of sugar-cane or rice, surrounded by groves of plantains and bananas, occupy the remainder of the clearings. Proceeding higher up, the houses and fruit-trees are missed; but it is the number of the population which is exhausted, not the resources of the land.

The Manatte is but a short distance from the Sibun; then follow if rapid succession Mullin's River, Upper and Lower Staun Creek, the Sittae, Monkey River, Deep River, Middle River, Rio Grande, Golden Stream, the Moho, Tomash, and Sarstoon. I can vouch for the beauty of such of these southern rivers as I have visited, and, when the settlement shall be peopled, the richness of the country they traverse will be appreciated and developed.

It is easy to count the rivers which throw themselves into the sea, but if a line were to be drawn parallel to the coast, at a distance inland of twenty-five miles, it would cross an infinite number of "creeks" or rivulets, navigable for mahogany and boats, which, after intersecting the country, lose themselves in lakes or larger rivers.

Accessions to our population, and commercial failures, began in 1858 to direct public attention to the capabilities which Honduras presents for an extended system of tropical agriculture; and, indeed, impatience was occasionally shown with those who still adhere firmly to the old staples, and declare that the prosperity of the settlement can be maintained by logwood and mahogany alone. I am one of those who take the old-fashioned view of things. The wood-cutting business has proved a good friend to those who were faithful to it, and still maintains two or three thousand labourers in actual affluence. Where is the sugar-planter who can afford to give his hands from three to five shillings a day and rations? Besides, in a moral point of view, I am well-disposed towards the cutting trade. The habits of bush life, with the self-reliance which it creates, while compelling mutual aid in case of need, and habitual hospitality, have created in British Honduras a development of the negro character which has agreeably surprised me.

But there is no necessary opposition between mahogany-cutting and sugar-growing. On the contrary, they will be, should the population ever become considerable, close allies. The former can pay the highest wages, so need not dread competition. The wood-cutter is already preparing the way for the planter, who, if he comes, will find much of his work done for him, and will best thrive by grafting his operations on those of the mahogany gang. To say that so many trees have been cut in a certain district, and to show the logs in Belize, is to prove that the land from whence they came

is admirably adapted for settlement. Large mahogany implies a good soil; the "getting it out" implies great facilities for communication, level land for the plough, and water carriage even for the bulky sugar hogshead; for these valuable trees are only thinly scattered over the country, and each one requires a road for itself. Thus, even now, from the mahogany village by the river side, as a centre, wide and level roads are cut through the bush in all directions, and we want but people in order to line them with farms and plantations.

Another advantage possessed by Honduras is the regularity of the seasons. There are two dry periods in the year and two wet ones. For a few days in the month of June the rivers swell and overflow their banks, but speedily retire, leaving a general freshness and fertility over the country. True, the "top-gallant floods" of October might occasionally prove embarrassing to the planter, but the Sibun sugar-canes show that the plant thrives from the immersion. The cultivator of rice is specially benefited, as nature performs the necessary operation of flooding his fields and then draining them, operations which the planters of Carolina and Georgia have to perform with great labour and expense.

But the successful manufacture of sugar in this settlement is no longer hypothetical. Under an extremely slovenly mode of cultivation the Corosal planter has already obtained possession of the local market. The canes are inserted, anyhow, into half-cleared ground, and left to crush, by their own superior vitality, the few and feeble weeds; yet the eleven-year-old ratoons show no symptom of exhaustion. When cut, the canes are ground between wooden rollers, nearly 25 per cent. of the juice being thus lost, and the sugar is boiled in copper or iron pots. Made in this inartistic manner, the leakage is considerable on long voyages; yet the free-grown sugar of Honduras can undersell in New Orleans the produce of local slave labour. It will be the best proof of the luxuriance of the soil, if I mention that, with wages varying from 1s. to 1s. 3d. a day and rations, the planter will be no loser if he sells his sugar in Corosal at 8s. the 100 lbs.; in Belize, ninety miles off, with the excise duty of 2s. paid, at 12s. The nature of the climate greatly facilitates the production of sugar, as it allows the cane to ripen at any time of the year, and thus enables the planter to distribute the labours of the harvest over the twelve months, and make the most of the labour at his disposal.

The population of British Honduras may be divided into four classes:—1st, the Maya and Chichanja Indians (Aztecs); 2nd, Spanish refugees from the neighbouring republics, who already form the numerical majority; 3rd, white and black Creoles, Africans, and all who speak the English language; 4th, Caribs.

The aborigines deserve the priority of notice. The descendants of the men who built the temples, the ruins of which are here called "Indian churches," and the huge mounds of limestone and coral that form islands of refuge high above the top-gallant floods. In the more civilized districts they are much mixed up with persons of other races, either as patient and silent domestic servants, or as useful members of the mahogany gang. More robust than the Spaniard, less addicted to pleasure than the negro, they are admirably adapted to the monotonous drudgery of logwood-cutting, which has principally passed into their hands. There are, however, other tribes of Indians within our borders who come in contact with civilization but once a year. They cultivate maize somewhere in the depths of the

forest, and fatten pigs, whose surplus produce they annually bring to some village market, procure what they require, principally salt and annis, and disappear again. We know but little of these people. They have learnt to respect the mahogany tree in their clearing operations, so there is peace between them and our woodsmen. When fallen in with accidentally, these men are found in the usual Indian working dress—a hat and towel—and are in manners civil, but shy. The southern portions of our territory have never been explored, and, according to the Crown surveyor, they contain inhabitants who, he believes, have not yet been seen by European or Creole. The rivers south of the Sibun have their source in the mountains, whose line of water-shed forms the division between ourselves and Vera Paz. Adown these streams, at least down Mullin's River, Mr. Faber has occasionally seen floating rough wooden bowls and other implements, which testify to the existence of some inhabitants utterly unknown to us.

The principal station of the Spanish immigrants is Corosal. They, with a sprinkling of Indians, are our sugar growers. The town already contains a population of 4,500, and covers a large extent of ground. The wide streets intersect each other at right angles; and the little houses that border them, generally consisting of one room, are kept scrupulously clean. The doors are open by day, and the two main articles visible in all are the family hammock and altar. Occasionally, there are also tables and rocking chairs, and a sideboard; less frequently a bed with mosquito-net, but the images and hammocks are of rigid necessity. It is not, however, entirely from devotion that the former are tricked out so gaily. A small traffic is made in religion, and the fine clothes on the Virgin are part of the speculation. Country people arriving in town, conscious of sins and helplessness, staring in at the houses, and seeing remission and protection in satin and spangles, straightway purchase from the master of the house a few rials' worth of candles, which they light on his own altar, and pass on comforted.

Corosal possesses no building of architectural pretension. In the vast plaza is a great cruciform incision, from which a church will rise when the present schism in our Roman Catholic community is healed. But when that will be it is hard to say. My own well-meant efforts only widened the breach they sought to close. Discord, the people of Yucatan love for itself; and it is a matter of satisfaction to them, since our tolerably vigorous laws will not allow of much secular insubordination, to carry spiritual rebellion to its utmost extent. The priest who now possesses the most authority over them has been excommunicated, and warned not to trespass on a field given over to another's pastoral charge; but with drunken audacity he perseveres, and the flock follows in his eccentric movements, which have a constant tendency towards increasing depravity. Occasionally injured husbands or brothers, in the Spanish belief of the omnipotence of my office, lay before me tales of his daring and whimsical profligacy, but his influence continues unabated. Heresy, discontent, an inability to do good oneself, or allow others to do it, are, however, simply *cosas de Yucatan*.

In a corner of the great square, which is some day to have a church, stands the building at present used as a substitute. It is a barn; gaudy enough within, but not sufficiently solid to support its bells, which depend from a gallows hard by. As much ceremony as can be managed under the circumstances attends the celebration of mass. The elevation of the host is accompanied by the ascent of sky-rockets. Other parts of the service

are marked by the fizz and bang of squibs and the more solemn and reverberated explosions of *bombas*. Divine service is followed by cock-fighting or card-playing, with doors closed against the police, and the night opens with a ball. On week days, also, amusements always take precedence of work; gambling, a cock-fight, or, more rarely, a bull-fight, are the occupations of the day; guitaring, dancing, and waking their dead, those of the night. Yet all seem doing well,—labourers and employers of labour in their respective spheres, whose boundary, however, is not very well defined in Corosal. Large sums of money, or a cane field, are lost at cards; and the expense of their entertainments is very considerable. Olives and sugar-plums being the only refreshment of a solid description provided in a well-regulated *fiesta*, the consumption of champagne and pale ale becomes large. The other Spanish villages are much like Corosal; in the morning, melancholy, noiseless places, brightened up at night by music and gay dresses.

In violent contrast to the Spanish village, whose inhabitant in his utmost rage will not raise his voice to an unseemly pitch, is the mahogany "bank," when worked principally by blacks. Long before it is reached, the exuberant and aggressive self-satisfaction of the negroes is heard filling the woods with shouts, laughter, and loud talk. The bank, as its name implies, is on the river side. It is the nucleus of the work which is carried on for miles around. Here resides the captain of the gang; here the stores are kept, and the huge logs of mahogany deposited, until the fit season arrives to throw them into the water. The business of the day is simple enough. A "hunter" has found a tree, and a couple of men are sent to cut it down. This tree-felling is the very hardest work I have seen performed in the West Indies. It would be difficult for a person, who merely saw the mahogany log as exported, to conceive the size and beauty of the tree. The "spurs," or supporting buttresses, spring from the trunk some fifteen to thirty feet from the ground. It would be endless work cutting through these, so the woodsmen commence operations above. A very light platform, called a "barbecue," is formed of three long flexible sticks, lashed into a triangle enclosing the tree, and supported at the angles by posts of the requisite length driven into the ground. The man who chops to windward, from whom the tree will fall, has the hardest work. Standing in the centre of the base of the triangle, fifteen feet or more from the ground, he swings his "tuba axe" with the five-foot handle, and the extreme elasticity of the barbecue, which springs under him like a tight rope, seems to throw the whole weight of the man into the axe-head as it enters the tree. I have never seen elsewhere such scientific and skilful tree-felling. The largest tree is generally brought down before sunset. The next thing to be done is to saw off all above the lowest branch, to square the log roughly; then a road must be made from the main trucking path to the spot in the forest where the log lies. When the trucks are brought up, the mass of wood, which sometimes weighs as much as four tons, is, with no appliances but tackles and levers, lifted up dexterously and placed on them. The "truck-ing" is one of the sights which the inhabitants like to show a stranger. No cattle could perform it in the heat of the day, so the work is carried on at night. A "set" of oxen, six pair, sometimes more, is attached to each truck. Men bearing pine torches precede and accompany each log, and it forms rather a striking scene as the several noisy and brilliant processions, conveying from the denser parts of the forest, meet on the common high

road to the bank, along which the teams, when united, sometimes stretch for half a mile.

The creoles are very skilful boatmen, but hardly so much so as our Caribs, one half of whose life is spent in or on the water. From their earliest infancy the children are taught to swim, sail a "dorey," and use the paddle. I have seen at Staun Creek a woman coming down to the river with a mahogany bowl, full of clothes to be washed, on her head, and a mere baby on her hip. Having thrown the linen on the bank, she places the child in the bowl, and then pushes it from the shore into the stream; and in this manner the young Caribs, before they can speak distinctly, are often taught one of the rudiments of "dorey" sailing, the sitting steady. It is curious to watch the fixed and earnest countenances of the Carib babies in their washing bowls, which soon float rapidly down towards the sand bar at the mouth of the stream. The least loss of balance upsets the small embarkation, and the infant has to strike out for its life. But this is in no danger. The whole juvenile population is on or in the river and neighbouring sea, fishing, swimming, paddling, or else sailing and capsizing in small doreys.

These Caribs form a very useful portion of our population; and on any of the various expeditions to which our smooth sea, studded with innumerable islets, invites, they are by far the best attendants. Preferring the water to the land, no amount of wetting from spray or rain seems to hurt them. Indeed, their spirits rise with the wind, and the greatest damper to their vivacity is a calm.

The Caribs speak their own language, with which, however, they have incorporated many French and Spanish words. They congregate in villages apart, and seldom, if ever, intermarry with the negroes. Each man on his marriage builds a house, clears and plants about an acre of land for his wife, and, having thus provided for her, returns to his occupations on the water.

I must again apologise for the length of this communication. Much, however, of its contents had not been told before, and need not be so again. To bring my despatch even within its present compass, I have had to omit all account of the political events which passed around us in 1858, and which will cause that year to be well remembered in Belize. The earlier months saw the revival on our frontier, after upwards of three centuries of apparent extinction, of an Aztec power, which seems likely to last. It arose little changed; there is the language of the days of Cortes, and the old belief in the divine thirst for human blood. Ties of the nearest kind united the Mexicans, who still struggled in their own country against the Indians, to those who had sought a timely refuge in this territory. A thrill of horror, therefore, ran through our northern districts when it was learnt that all the inhabitants, whom the first rage of the successful assailants had spared in the captured town of Belize, were solemnly sacrificed to an idol in a moonlighted massacre.

This was in the north. On the south we have had to deal with the usual complications of the Central American question; and, in December, even the sea in front contributed its share to the political work, when it saved the republic of Honduras by throwing on our hands the filibusters who sailed from Mobile in the *Susan*.

Though no very great value is probably attached to this settlement, its occupation by us has been of incalculable benefit to the neighbouring republics, and, indeed, to humanity. Under the shelter of our protec-

tion twelve or fifteen thousand Yucatecans now flourish in sight of their ruined native land; and the tide of Indian rebellion and devastation in its progress to the southward was checked by the strong English force on the Hondo, and prevented from filling the channels already dug for it in Guatemala and other States.

#### BAHAMAS.

The population in 1854 was 27,619—white, 5,499; and coloured, 22,120. The revenue was 33,136*l*.; the expenditure, 34,333*l*. The tonnage entered was, 318 vessels, 26,005 tons; and cleared, 321 vessels, 26,299 tons. The value of imports was 190,523*l*.; of exports, 92,156*l*. The condition of the people is as follows:—They have neither great wealth nor many wants. A slight exertion can always procure a competence. Climate and other things considered, they live, altogether, an easier life than the mass of their fellow-subjects in England. They know no stimulus of competition, and recognize no need of manual or mechanical excellence. They are aware that such work as they choose to perform will always command the price at which they appraise it; and that the labour of a few weeks can always earn a commensurate period of repose. They are not uninstructed or uninformed. I have found negro Creoles whose bookish acquirements might put to shame those of the mechanics and day labourers of London or Liverpool. It is true that, like others in their condition, they have read more than they remember, and remember more than they reflect, and are very vain of the learning which they have acquired. Nor is it a source of satisfaction that the 2,000 children educated in the Government schools, and the 1,100 children educated in the schools belonging to the Church of England, should not with their instruction imbibe a greater respect for the dignity of honest labour of every kind. But the economical conditions of the colony explain a state of things, which, if disagreeable, is not unnatural. So long as every man and boy in the place can earn a living from the pursuits of fishing, wrecking, shelling, sponging, or fruit-growing, it is not wonderful that they depreciate the status of domestic service, and do not care much for the approbation of the employer who hires them to do household work, or the contractor who pays high wages for out-door labour. The independence of their means communicates a peculiar tone to their language and demeanour. People who are tolerably familiar with the working classes of England would be surprised at the manner and phraseology of men who were regarded as mere chattels only a quarter of a century ago. Their “uppishness,” as it is called, produces an irritation in the minds of the white population, who cannot but contrast the different treatment and behaviour of the negroes in the United States. It certainly must be at times provoking to those who were once the owners of slaves to hear the free blacks denounce and repudiate the terms “master” and “servant,” even as applied to such reciprocal relations as are thus denominated by the common law and custom of England. I can imagine no remedy for this but an immigration of foreign labourers; and this remedy is viewed with dislike by a large proportion of the inhabitants, as an experiment which is dangerous in proportion to its novelty. The rates of customs duties on the principal articles were as follows:—

Ale and porter, per doz., 1*s*.  
Ditto, in wood, per gal., 4*d*.  
Butter, per cwt., 12*s*.

Candles, tallow, per cwt., 5*s*.  
Ditto, other sorts of, per cwt., 10*s*.  
Coffee, per cwt., 4*s*.

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Flour, wheat, per barrel, 3s.  
 Hulks and materials, ad valorem, 15l. per cent.  
 Lard, per cwt., 6s.  
 Lumber, per 1,000 feet, 8s.  
 Meats, salted or cured, per cwt., 5s.  
 Molasses, per gal., 2d.  
 Rice, per cwt., 1s. 6d.  
 Spirits, brandy, per gal., 5s.  
 Ditto, rum, stronger than 18 per bubble, per gal., 3s.  
 Ditto, rum, 18 to 24 per bubble, per gal., 2s. 6d.  
 Ditto, rum, weaker than 24 per bubble, per gal., 2s.

Spirits, gin, whisky, and other spirits, not enumerated, per gal., 2s. 6d.  
 Soap, per cwt., 4s.  
 Sugar, unrefined, per cwt., 5s.  
 Ditto, white clayed, per cwt., 8s.  
 Ditto, refined, per cwt., 10s.  
 Tea, per lb., 9d.  
 Tobacco, manufactured, per cwt., 14s.  
 Wines, per gal., 6d. and 20 per cent. ad valorem.  
 Unenumerated, ad valorem, 15l. per cent.  
 All articles not directly imported, 20l. per cent.

#### VIRGIN ISLANDS.

The population in 1859 was 6,053; of whom 201 white, 448 coloured, 1,366 mixed blood. The revenue in 1858 was 1,389l.; the expenditure, 1,370l. There were entered in 1858, 1,127 vessels, 3,584 tons: and cleared, 1,117 vessels, 3,542 tons. The imports amounted to 5,077l., and the exports to 10,253l.

#### ST. CHRISTOPHER.

The population in 1855 was 20,741. The revenue in 1858, 23,356l.; and the expenditure, 17,013l. The shipping entered was, 971 vessels, 31,608 tons; and cleared, 671 vessels, 31,169 tons. The value of imports was 161,317l.; and of exports, 189,901l. The rates of customs duties on the principal articles were as follows:—

Candles, tallow, per lb., not stated.  
 Fish, dried, per 100 lbs., 1s. 0½d.  
 Flour, per barrel of 196 lbs., 4s. 2d.  
 Meal, per barrel of 196 lbs., 2s. 1d.  
 Oats, per bushel, 3d.  
 Lumber, W. pine, per 1,000 ft., 8s. 4d.  
 Pork, salted, per 100 lbs., 4s. 2d.

Butter, per 100 lbs., 8s. 4d.  
 Horses, per head, 1l. 0s. 10d.  
 Wine, ad valorem, 15 per cent.  
 Shingles, cypress, per 1,000, 4s. 2d.  
 Tobacco, unmanufactured, per 100 lbs., 10s.  
 Goods, ad valorem, 8 per cent.

#### ANTIGUA.

The population in 1856 was 35,408, of whom 33,206 were coloured. The revenue in 1858 was 40,063l.; the expenditure, 39,787l. The tonnage was—entered, 668 vessels, 42,534 tons; cleared, 676 vessels, 42,384 tons. The value of imports was 266,335l.; and of exports, 325,841l. In 1858 the rates of customs duties on the principal articles were as follows:—

Beef and pork, per barrel, 16s.  
 Bread, per cwt., 2s. 6d.  
 Butter, per cwt., 10s.  
 Candles, tallow, per lb., 1d.  
 Fish, dried, per quintal, 1s.  
 Fish, pickled, per barrel, 2s.  
 Flour, per barrel, 5s.  
 Mules, per head 1l.  
 Meal, or other flour, not wheat, per barrel, 2s.  
 Pease, beans, barley, oats, and corn, per bushel 3d.  
 Rice, per cwt., 2s.

Soap, per lb., ½d.  
 Spirits, brandy, per gal., 2s. 6d.  
 Ditto, sweetened, all liqueurs, per gal., 4s.  
 Ditto, gin, and all others not sweetened, per gal., 2s.  
 Tobacco, unmanufactured, per lb., 2d.  
 Wine, ad valorem, 15 per cent.  
 Wood, P. pine, per mille feet, 12s. 6d.  
 Ditto, W. pine, per m. feet, 8s. 4d.  
 Ditto, cypress shingles, per m. feet, 6s. 3d.  
 Ditto, staves, per m. feet, 10s. 5d.  
 Non-enumerated goods, 4½ per cent.

#### NEVIS.

The population in 1844 was 9,571. The revenue was 6,433l.; and the expenditure, 6,482l. The tonnage was—entered, 251 vessels, 14,988 tons;

cleared, 250 vessels, 14,884 tons. The value of imports was 36,721*l*.; of exports, 45,683*l*. The rates of customs duties on the principal articles were as follows:—Beef, pork, and hams, corn meal, flour, wheat, lumber, 8 per cent. ad valorem, and a specific duty on certain articles.

## MONTSERRAT.

The population in 1856 was 7,043. The revenue was 3,595*l*.; and the expenditure, 2,848*l*. The tonnage entered was 184 vessels, 5,876 tons; cleared, 185 vessels, 5,950 tons. The value of imports was 17,844*l*.; and of exports, 16,829*l*. The rates of customs duties on the principal articles were as follows:—

Candles, tallow, per cwt., 7*s*.

Corn meal, per barrel, 2*s*.

Fish, dried, per barrel of 100 lbs., 1*s*.

Fish, pickled, per barrel of 200 lbs., 2*s*.

Flour, per barrel of 196 lbs., 4*s*.

Linens, cottons, and other British manufactures, ad valorem, 6 per cent.

Pork, and other salted meats, per barrel of 200 lbs., 8*s*.

## TURKS ISLANDS.

The population in 1850 was 3,250. The revenue in 1857 was 5,952*l*.; the expenditure, 6,030*l*. The tonnage entered was 373 vessels, 45,822 tons; cleared, 357 vessels, 44,747 tons. The value of imports was 33,418*l*.; and of exports, 29,274*l*. The rates of customs duties on the principal articles were as follows:—

Flour, wheat, per barrel, 3*s*. 9*d*.

Ditto, rye and corn meal, per barrel, 1*s*. 6*d*.

Lumber, m., 6*s*.

Ditto, shingles, m., 1*s*.

Ditto, shingles, cypress, m., 2*s*.

Meat, salted or cured, per cwt., 4*s*. 8*d*.

Ditto, salted or cured, 100 lbs. (1856-7), 4*s*. 2*d*.

Spirits, rum, 24° proof, per gallon (1855-6-7), 3*s*.

Spirits, rum, under proof, per gal. (1856-7), 2*s*. 5*d*.

Ditto, rum, over proof (extra), per gal. (1855-6-7), 1*d*.

Ditto, gin, whiskey, and shrub, per gal., 1856-7, 3*s*. 3*d*.

Ditto, brandy, per gal. (1856-7), 4*s*.

Sugar, refined, per 100 lbs. (1856-7), 8*s*. 4*d*.

Ditto, clayed, per 100 lbs. (1856-7), 6*s*. 3*d*.

Ditto, unrefined, per 100 lbs. (1856-7), 4*s*. 2*d*.

## DOMINICA.

The population in 1855 was 25,230; of whom, 24,287 were coloured, and 847 white. The revenue in 1858 was 13,529*l*.; and the expenditure, 13,973*l*. The shipping entered, 320 vessels, 8,938 tons; and cleared, 313 vessels, 9,204 tons. The value of imports was 64,543*l*.; and of exports, 84,906*l*. The rates of customs duties on the principal articles were as follows:—

Ale, malt, &c., per gal., 5*d*.

Butter, per cwt., 7*s*. 6*d*.

Candles, tallow, per cwt., 4*s*. 6*d*.

Fish, dried, per cwt., 1*s*. 6*d*.

Fish, pickled, per barrel, 3*s*.

Flour, wheat, per barrel of 196 lbs., 4*s*. 2*d*.

Hardware, ad valorem, 10 per cent.

Linen and cottons, ad valorem, 10 per cent.

Linen and cotton handkerchiefs, per piece, 2*s*. 3*d*.

Oil, olive, per gal., 9*d*.

Silks, except corahs and bandannas, ad valorem, 15 per cent.

Ditto, corahs and bandannas, per piece, 2*s*.

Ditto, Madras and Ventripollam handkerchiefs, per piece, 2*s*. 3*d*.

Tobacco, raw, per 100 lbs., 8*s*. 4*d*.

Wines, ad valorem, 20 per cent.

Wood, staves and hoops, per m., 8*s*. 4*d*.

Ditto, W. P. lumber, per m. ft., 7*s*. 6*d*.

Ditto, shingles, under 14 in., per m. ft., 2*s*.

Ditto, 14 and under 16 in., perm. ft., 3*s*. 6*d*.

Ditto, above 16, per m. ft., 5*s*.

## ST. LUCIA.

The population in 1858 was 26,050; of whom, 25,334 were coloured, and 716 white. In 1858 the revenue was 13,191*l*.; the expenditure,

12,077*l*. The tonnage entered, 158 vessels, 9,891 tons; cleared, 159 vessels, 9,297 tons. The value of imports was 102,056*l*.; of exports, 94,659*l*. The produce was 7,240,668 lbs. sugar, 45,050 lbs. coffee, 79,902 lbs. cocoa, 80,866 galls. rum, and 166,442 galls. molasses. The rates of customs duties on the principal articles were as follows:—

Butter, per lb., 5 per cent. ad valorem.  
Cottons and linens, ad valorem, 5 per cent.  
Fish, dried cod, per quintal, 1*s*.  
Flour, wheat, per barrel, 2*s*.

Cattle, per head, 5 per cent.  
Mules, per head, 5 per cent.  
Tobacco, raw, per lb., 2*d*.  
Wines, all kinds, ad valorem, 10 per cent.

#### ST. VINCENT.

The population in 1857 was 30,128. In 1858 the revenue was 20,874*l*.; the expenditure, 19,012*l*. The shipping entered, 348 vessels, 21,646 tons; cleared, 339 vessels, 21,450 tons. The value of imports, 160,948*l*.; and of exports, 181,934*l*. The rates of customs duties on the principal articles were as follows:—

Ale, beer, cider, and perry, per tun, 1*l*. 5*s*.  
Ditto, per doz., 4*d*.  
Butter, per cwt., 6*s*.  
Candles, tallow, per cwt., 1*s*. 6*d*.  
Cordage, per cwt., 1*s*. 6*d*.  
Fish, dried or salted, per cwt., 1*s*.  
Flour, per barrel, 4*s*.  
Meal, corn, per barrel, 1*s*. 3*d*.  
Pork and beef, salted and cured, not exceeding 200 lbs., 8*s*. 4*d*.  
Rice, per cwt., 1*s*.  
Spirits, brandy, per gal., 3*s*.  
Ditto, gin, per gal., 2*s*. 6*d*.

Wood, W. and spruce pine, per m., 4*s*.  
Ditto, shingles, cypress, per m., 2*s*.  
Wines, ad valorem, 20 per cent.  
Goods, ad valorem, viz. :—Drugs and paints; glassware; hardware, ironmongery, and implements; leather, and leather manufactures; lime, temper; linen, cotton, woollen, silk, felt, and straw manufactures; machinery; oil cake and oil meal; perfumery; pickles and preserves; preserved meats; salt; stationery and books; wooden goods, and unenumerated articles—5 per cent.

#### BARBADOES.

The population in 1851 was 135,939; of whom, 120,115 were coloured, and 15,824 white. In 1858 the revenue was 96,915*l*.; and the expenditure, 87,891*l*. The shipping entered, 1,051 vessels, 144,018 tons; and cleared, 1,078 vessels, 156,338 tons. The value of imports was 1,325,118*l*.; and of exports, 1,468,450*l*. The rates of customs duties on the principal articles were as follows:—

Butter, per 100 lbs., 6*s*. 6*d*.  
Broad, white, per 100 lbs., 8*d*.  
Ditto, brown, per 100 lbs., 4*d*.  
Candles, tallow, per 100 lbs., 5*s*.  
Cattle, neat or horned, per head, 8*s*. 4*d*.  
Cordage, per 100 lbs., 1*s*.  
Corn and grain, unground, per bushel, 3*d*.  
Flour, wheat, per barrel of 196 lbs., 3*s*. 6*d*.  
Fish, salmon, dried, pickled, or smoked, per 100 lbs., 1*s*.  
Ditto, other kinds, pickled, per barrel, 6*d*.  
Ditto, dried or salted, per cwt., 4*d*.  
Hardware, ad valorem, 3 per cent.  
Horses, per head, 1*l*. 13*s*. 4*d*.  
Linens and cottons, ad valorem, 3 per cent.  
Lumber, per 100 superficial ft., 2*s*. 1*d*.

Malt liquors, in wood, per 64 gal. cask, 4*s*. 2*d*.  
Ditto, bottle, per doz., 3*d*.  
Meats, salted and cured, per 100 lbs., 4*s*.  
Mules, per head, 1*l*. 5*s*.  
Meal, corn and linseed, per barrel of 196 lbs., 1*s*.  
Rice, per 100 lbs., 5*d*.  
Soap, per 100 lbs., 1*s*.  
Spirits, brandy, per gal., 3*s*. 6*d*.  
Ditto, rum, per gal., 1*s*. 8*d*.  
Wood, shingles, cypress, per m., 2*s*.  
Ditto, cedar, per m., 1*s*.  
Ditto, other kinds, per m., 1*s*. 6*d*.  
Ditto, staves, per m., 2*s*. 1*d*.  
Tobacco, per lb., 3*d*.  
Wines, ad valorem, 15 per cent.

#### GRENADA.

The population in 1851 was 32,671. In 1858 the revenue was 17,660*l*.; and the expenditure, 15,241*l*. The shipping entered, 370 vessels,

38,959 tons; cleared, 381 vessels, 21,134 tons. The value of imports, 103,165*l*; of exports, 185,613*l*. The rates of customs duties on the principal articles were as follows:—

Butter, per 100 lbs., 8*s*.  
Candles, tallow, per 100 lbs., 5*s*.  
Flour, per barrel, 4*s*.  
Fish, dried, per cwt., 1*s*.

Lumber, spruce and white pine, per mille feet, 5*s*.  
Unenumerated goods, ad valorem, 2½ and 5 per cent., 5 and 7½ per cent.

TOBAGO.

The population in 1858 was estimated at 14,378; of whom, 14,218 were coloured, and 160 white. The revenue was 9,654*l*; and the expenditure, 9,940*l*. The shipping entered was 76 vessels, 6,270 tons; and cleared, 79 vessels, 7,000 tons. The value of imports was 62,137*l*; and of exports, 72,401*l*. The rates of customs duties on the principal articles were as follows:—

Ale and beer, per hhd. 10*s*.; per doz., 6*d*.  
Beef and pork, salted, per 200 lbs., 6*s*.  
Butter, per lb., 1*d*.  
Candles, tallow, per lb., 1*d*.  
Coals, per hhd., 1*s*. 6*d*.; per ton, 2*s*.  
Copper, manufactures of, ad valorem, 7½ per cent.  
Fish, dried, per quintal, 1*s*.  
Flour, wheat, per barrel, 3*s*. 6*d*.

Gin, per gal., 3*s*.  
Hardware and ironmongery, ad valorem, 7½ per cent.  
Linen, cottons, and woollens, ad valorem, 7½ per cent.  
Lumber, W. pine, per m. ft., 8*s*.  
Rice, per 100 lbs., 2*s*.  
Tobacco, unmanufactured, per lb., 1*d*.

TRINIDAD.

The population in 1851 was 68,600. In 1858 the revenue was 145,391*l*; and the expenditure, 174,022. The shipping entered 840 vessels, 87,837 tons; and cleared, 845 vessels, 88,765 tons. The value of imports was 825,969*l*; and of exports, 785,863*l*. The rates of customs duties on the principal articles were as follows:—

Bread and biscuits, per barrel, 7½*d*.  
Candles, tallow, per 100 lbs., 2*s*. 1*d*.  
Ditto, sperm, composition, &c., per 100 lbs., 6*s*.  
Cheese, per 100 lbs., 5*s*.  
Coals, per hhd., 1*s*.; per ton, 3*d*.  
Corn, per bushel, 2½*d*.  
Ditto, meal, per barrel, 1*s*.  
Ditto, oats, per bushel, 2½*d*.  
Cottons, linens, woollens, &c., ad valorem, 5 per cent.  
Fish, dried and salted, per 100 lbs., 1*s*.  
Ditto, pickled, per barrel, 2*s*. 6*d*.  
Flour, per barrel, 5*s*.  
Guano and manure, ad valorem, 3½ per cent.  
Haberdashery and gloves, ad valorem, 10 per cent.  
Hardware, ironmongery, ad valorem, 5 per cent.  
Ditto, steam machinery, ad valorem, 3½ per cent.  
Ditto, agricultural machinery, ad valorem, 3½ per cent.  
Lard, per 100 lbs., 2*s*. 6*d*.  
Leather, boots and shoes, ad valorem, 5 per cent.  
Ditto, saddlery, ad valorem, 5 per cent.

Leather, unmanufactured, ad valorem, 5 per cent.  
Live stock, cattle, per head, 2*s*. 1*d*.  
Ditto, horses, per head, 2*l*.  
Ditto, mules, per head, 1*l*.  
Malt liquors, per hhd., 10*s*.; per doz., 6*d*.  
Matches, per gross, 2*s*. 6*d*.  
Meat, beef, pickled, per 100 lbs., 4*s*. 2*d*.  
Ditto, hams, per 100 lbs., 4*s*. 2*d*.  
Ditto, pork, per 100 lbs., 4*s*. 2*d*.  
Medicines and drugs, ad valorem, 3½ per cent.  
Oil, olive, per gal., 9*d*.  
Ditto, cake, ad valorem, 3½ per cent.  
Rice, per 100 lbs., 2*s*.  
Silks, ribbons, &c., ad valorem, 10 per cent.  
Soap, per 100 lbs., 1*s*.  
Spirits, brandy, per gal., 4*s*.  
Ditto, gin, per gal., 4*s*.  
Ditto, liqueurs, per gal., 4*s*.  
Sugar, refined, per 100 lbs., 10*s*.  
Tar and pitch, per barrel, 6*d*.  
Tobacco, unmanufactured, per lb., 4½*d*.  
Wine, sherry, port, Madeira, per gal., 1*s*.  
Ditto, Tenerife, Malaga, Muscat, and Canary, per gal., 8*d*.  
Ditto, vin de côte, per gal., 2*d*.  
Ditto, Muscat, per doz., 4*s*.

Wine, sherry, port, Madeira, champagne,  
Burgundy, &c., per doz., 6s.  
Wood, lumber, W. and P. pine, per m. feet,  
6s. 3d.

Wood, hoops, ad valorem, 3½ per cent.  
Ditto, shingles, per m. feet, 1s.  
Ditto, staves, per m., 10s.

## BRITISH GUIANA.

The population in 1851 was 127,695, of whom 11,558 were European, 14,754 mixed, 91,710 African, 7,670 East Indian, and 2,003 aborigines. The revenue in 1858 was 273,295*l.*; and the expenditure, 272,132*l.* The shipping entered in 1856, 839 vessels, 145,005 tons; and cleared, 691 vessels, 112,973 tons. The value of imports in 1855 was 986,016*l.*; and of exports, 1,331,371*l.* The rates of customs duties on the principal articles were as follows:—

Beef, pickled, per barrel of 200 lbs., 3 dols.  
Bricks, per 1,000, 30 cents.  
Butter, per lb., 2 cents.  
Coals, per hogshead, from 1st July (1858),  
24 cents.  
Ditto, loose, per ton, from 1st July (1858),  
36 cents.  
Corn, per bushel, 5 cents.  
Fish, dried, per 112 lbs., 50 cents.

Flour, wheat, per barrel of 196 lbs., 1 dol.  
Lumber, per 1,000 feet, 2 dols.  
Malt liquor in wood, per hogshead, 5 dols.  
Ditto, in bottles, per doz. quarts, 24 cents.  
Rice, per 100 lbs., 25 cents.  
Shooks, per package, 8 cents.  
Spirits, per gal., from 1st July (1858), 1 dol.  
70 cents.

## JAMAICA.

The population in 1844 was 377,433, of whom 185,776 were white, and 361,657 coloured. The revenue was 216,483*l.*; and the expenditure, 191,321*l.* The shipping entered was 475 vessels, 87,885 tons; cleared, 484 vessels, 91,172 tons. The value of imports was 1,058,654*l.*; and of exports, 1,179,014*l.* The rates of customs duties on the principal articles were as follows:—

Ale and beer, per tun, 5*l.* 7s.  
Butter, per cwt., 9s.  
Candles, tallow, per 56 lbs., 2s. 6d.  
Corn: flour, wheat, per barrel, 6s.  
Ditto, meal, not wheat, per barrel, 1s.  
Fish, dried, per cwt., 2s.  
Ditto, pickled, per cwt., 4s.  
Ditto, alewives and herrings, per barrel, 2s.  
Goods, unenumerated, 12½ per cent.

Pork, salted, per barrel of 200 lbs., 10s.  
Spirits, brandy, per gal., 7s.  
Ditto, gin, per gal., 6s.  
Ditto, rum, produce of and imported from  
British possessions, per gal., 6s.  
Ditto, whiskey, per gal., 5s.  
Ditto, other kinds, and cordials or compounds,  
per gal., 8s.  
Wines, per tun, 15*l.*

## FAKELAND ISLANDS.

The population in 1858 was 621. The revenue was 9,741*l.*; the expenditure, 5,820*l.* The shipping entered in 1857 was 40 vessels, 18,415 tons. The value of imports was 11,300*l.*; and of exports, 11,800*l.*

## AUSTRALIA, NEW SOUTH WALES.

The population in 1858 was 342,065. The revenue was 1,456,451*l.*; and the expenditure, 1,571,363*l.* The tonnage entered was, 1,141 vessels, 348,984 tons; cleared, 1,254 vessels, 366,825 tons. The value of imports was 6,059,366*l.*; and of exports, 4,186,277*l.* In 1858 there were 1,334 mortgages of 705,336*l.*; 65 liens of 937,643 sheep. There were 19 mines

producing 216,397 tons of coal; value, 762,182*l*. There were 200,713 horses, 2,110,604 horned cattle, 7,581,762 sheep, and 92,843 swine. The rates of customs duties on the principal articles were as follows:—

Beer in bottles, per gal., 2*d*.  
Ditto, in wood, per gal., 1*d*.  
Chicory, per lb., 2*d*.  
Coffee, per lb., 2*d*.  
Molasses, per cwt., 3*s*. 4*d*.  
Opium, per lb., 10*s*.  
Spirits, brandy, per gal., 10*s*.  
Ditto, rum, per gal., 7*s*.  
Ditto, Geneva, per gal., 10*s*.  
Ditto, whiskey, per gal., 7*s*.  
Ditto, gin, per gal., 10*s*.  
Ditto, perfumed, per gal., 7*s*.

Spirits, cordials and liqueurs, according to Sykes' hydrometer, per gal., 10*s*.  
Ditto, all other, per gal., 7*s*.  
Ditto, brandied fruits, per gal., 10*s*.  
Sugar, raw, per cwt., 5*s*.  
Ditto, refined, per cwt., 6*s*. 8*d*.  
Tea, per lb., 3*d*.  
Tobacco, manufactured, per lb., 2*s*.  
Ditto, cigars, per lb., 3*s*.  
Wine containing more than 25 per cent. of alcohol, per gal., 10*s*.  
Ditto, not containing more than 25 per cent. of alcohol, per gal., 2*s*.

STATISTICAL VIEW of the PROGRESS of NEW SOUTH WALES, from the Year 1821 to 1858.

Year.	Population.	Number of Acres under Cultivation.	LIVE STOCK.		SHIPPING.		Wool (Value).	Value of Total Imports.	Value of Total Exports.	Revenue.	Expenditure.
			Horned Cattle.	Sheep.	Inwards.	Outwards.					
					Tonnage	Tonnage		£	£	£	£
1821	29,783	—	—	—	—	—	—	—	—	36,331	—
1822	30,756	—	—	128,575	22,924	30,793	172,880 lbs.	—	—	45,210	46,429
1823	31,729	—	—	177,935	20,824	22,332	196,240 lbs.	—	—	—	—
1824	32,702	—	—	184,836	—	—	275,760 lbs.	—	—	49,471	—
1825	33,675	45,514½	124,519	237,622	24,559	22,688	411,600 lbs.	300,000	100,000	71,562	93,020
1826	34,649	—	—	—	17,178	17,020	552,960 lbs.	360,000	100,600	72,221	97,866
							248,384				
1827	35,623	—	—	—	26,506	14,501	407,118 lbs.	362,324	76,314	79,310	114,510
							224,306				
1828	36,598	71,523	262,868	536,291	32,559	30,186	40,531	570,000	90,060	96,713	97,952
1829	41,450	—	—	—	37,342	37,686	63,555	601,004	161,716	102,785	110,126
1830	46,302	—	—	—	31,325	28,822	34,907	420,480	141,461	104,729	102,125
1831	51,155	—	—	—	34,000	35,252	75,979	450,152	224,168	121,066	103,228
1832	58,524	—	—	—	41,350	42,857	73,559	604,620	384,344	125,847	115,004
1833	60,794	60,520	—	—	50,164	49,702	108,692	713,972	294,801	164,741	126,693
1834	66,312	74,811	—	—	58,632	53,278	218,628	991,950	587,640	305,448	186,660
1835	71,892	79,256	—	—	68,019	66,964	299,387	1,114,805	682,152	274,591	171,044
1836	77,096	87,482	—	—	65,414	62,834	369,224	1,287,406	748,624	330,579	217,877
1837	85,367	92,125	—	—	80,114	78,020	333,166	1,297,491	760,004	354,802	306,388
1838	97,912	92,912	—	—	91,777	93,004	408,977	1,579,277	802,768	335,294	499,396
1839	114,286	95,312	—	—	126,474	124,776	442,504	2,236,371	948,776	458,801	579,765
1840	129,463	136,116	—	—	178,968	163,704	566,123	3,014,189	1,399,692	683,112	570,033
1841	149,669	115,130	—	—	183,778	172,118	517,537	2,627,668	1,023,397	493,980	222,298
1842	159,889	126,874	897,219	4,804,946	143,921	134,970	596,176	1,455,069	1,057,411	428,781	496,182
1843	165,641	146,165	1,017,316	5,058,337	110,864	110,026	685,647	1,550,544	1,172,320	360,891	369,490
1844	173,877	144,661	1,169,432	5,604,644	87,639	109,242	646,244	931,260	1,124,115	310,953	345,584
1845	181,556	163,979	1,348,022	6,202,021	105,852	102,961	1,099,242	1,233,864	1,558,986	366,687	292,767
1846	196,704	183,360	1,420,736	7,906,811	141,467	134,998	1,019,985	1,630,322	1,481,539	352,778	290,092
1847	205,009	165,784	1,614,967	10,071,625	154,904	168,664	1,272,118	1,982,023	1,870,406	396,260	413,073
1848	220,474	164,664	1,752,852	11,860,819	199,804	187,822	1,240,144	1,656,560	1,320,368	396,863	460,581
1849	246,299	182,739	1,810,213	12,102,540	218,967	214,056	1,238,659	1,793,420	1,891,270	575,692	516,523
1850	265,603	198,064	1,738,965	13,059,324	234,215	263,849	1,514,211	2,078,338	2,399,540	632,711	567,165
1851	197,168	153,117½	1,375,257	7,296,895	153,002	139,020	828,302	1,563,331	1,796,912	486,698	444,108
1852	208,254	131,730½	1,495,984	7,707,917	197,366	175,960	676,815	1,900,486	4,604,034	682,137	600,323
1853	231,088	139,014½	1,582,285	7,929,708	236,852	241,540	999,896	6,342,397	4,522,246	987,477	682,621
1854	251,315	131,887	1,576,750	8,144,119	376,927	409,489	1,181,956	5,981,063	4,050,126	1,239,147	1,136,569
1855	277,679	171,100½	1,858,407	8,602,499	353,223	352,482	1,078,017	4,668,519	2,384,130	1,660,710	1,675,024
1856	286,873	186,033½	2,022,418	7,736,323	321,679	326,113	1,303,070	5,460,971	3,420,880	1,986,553	1,835,124
1857	305,487	184,613½	2,148,664	8,139,162	351,413	377,147	1,275,067	6,729,408	4,011,582	1,531,137	1,543,328
1858	342,062	217,443½	2,110,604	7,881,762	348,984	366,926	1,126,486	6,059,356	4,186,277	1,466,451	1,570,566

### VICTORIA.

The population in 1858 was 504,519, including 33,000 Chinese. The revenue was 2,944,613*l*.; and the expenditure, 2,365,856*l*. The shipping entered was 2,634 vessels, 648,103 tons; and cleared, 2,015 vessels, 641,254 tons. The value of imports was 15,108,249*l*.; and of exports,

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13,989,209*l.*, including 10,000,000*l.* gold. The rates of customs duties on the principal articles were as follows:—

Spirits and strong waters of any strength not exceeding the strength by Sykes' hydrometer, and so on in proportion for any greater or less strength than proof, per gal., 10*s.*  
Ditto, cordials, liqueurs, or strong waters, sweetened or mixed with any article, so that the degree of strength cannot be ascertained by Sykes' hydrometer, per gal., 10*s.*

Wines, per gal., 2*s.*  
Beer and cider, per gal., 6*d.*  
Tobacco, per lb., 2*s.*  
Snuff, per lb., 2*s.*  
Cigars, per lb., 3*s.*  
Tea, per lb., 6*d.*  
Coffee and chicory, per lb., 2*d.*  
Sugar, per cwt., 6*s.*  
Molasses and treacle, per cwt., 3*s.*

#### SOUTH AUSTRALIA.

The population in 1858 was estimated at 118,665. The revenue was 601,500*l.*; the expenditure, 543,025*l.* The shipping entered was 396 vessels, 102,079 tons; and cleared, 390 vessels, 97,196 tons. The value of imports was 1,769,352*l.*; and of exports, 1,512,185*l.* The rates of customs duties on the principal articles were as follows:—

Beer, porter, ale, perry, and cider, per gal., 4*d.*  
Boots and shoes, ad valorem, 5 per cent.  
Cutlery and hardware, ad valorem, 5 per cent.  
Drapery, ad valorem, 5 per cent.

Spirits, per gal., 9*s.*  
Sugar, muscovado, per cwt., 2*s.*  
Tea, per lb., 2*d.*  
Tobacco, manufactured, per lb., 1*s.*  
Wine, per gal., 1*s.*

#### WESTERN AUSTRALIA.

The population in 1858 was 14,776. The revenue was 52,804*l.*; and the expenditure, 47,119*l.* There were entered, 116 vessels, 58,830 tons; and cleared, 110 vessels, 47,719 tons. The value of imports was 144,932*l.*; and of the exports, 78,649*l.* The rates of customs duties on the principal articles were as follows:—

Beer, per gal., 4*d.*  
Tea, per lb., 2*d.*  
Tobacco, manufactured, per lb., 1*s.* 9*d.*  
Ditto, unmanufactured, per lb., 1*s.*  
Sugar, refined and candy, per cwt., 4*s.*  
Ditto, moist and molasses, per cwt., 3*s.*

Spirits, not exceeding the strength of proof by Sykes' hydrometer, and so in proportion, per gal., 12*s.*  
Wine, per gal., 2*s.*  
Goods, ad valorem, 7 per cent.

#### TASMANIA.

The population in 1858 was 84,080, including 14 aborigines. The revenue was 599,524*l.*; the expenditure, 560,488*l.* The shipping entered, 973 vessels, 147,947 tons; and cleared, 985 vessels, 146,864 tons. The value of imports, 1,324,612*l.*; and of exports, 1,151,609*l.* The rates of customs duties on the principal articles were as follows:—

Coffee, per lb., 14*d.*  
Hops, per lb., 2*d.*  
Malt liquor, per doz. pints, 9*d.*  
Ditto, per doz. quarts, 1*s.* 6*d.*  
Ditto, per gal., 3*d.*  
Spirits, brandy, per gal., 12*s.*  
Ditto, Geneva, per gal., 12*s.*  
Ditto, gin, per gal., 12*s.*  
Ditto, rum, per gal., 10*s.*

Spirits, whisky, per gal., 12*s.*  
Sugar, raw, per cwt., 3*s.*  
Ditto, refined, per cwt., 6*s.*  
Tea, per lb., 3*d.*  
Tobacco, per lb., 2*s.* 6*d.*  
Ditto, cigars, per lb., 3*s.*  
Wine, per doz. pints, 3*s.*  
Ditto, per doz. quarts, 6*s.*  
Ditto, per gal., 2*s.*

## NEW ZEALAND.

The population in 1858 was 59,328. The revenue was 341,655*l*. The shipping entered was, 339 vessels, 90,118 tons; and cleared, 322 vessels, 82,290 tons. The value of imports was 1,141,273*l*; and of exports, 458,023*l*.

## HONG KONG.

The population in 1858 was 75,503; of whom 74,041 were coloured, and 1,462 were white. The revenue was 62,476*l*; and the expenditure, 62,979*l*. The tonnage entered was, 1,007 vessels, 716,476 tons.

## LABUAN.

The population in 1858 was 1,163. The revenue, 8,788*l*; the expenditure, 5,904*l*. The shipping entered, 21 vessels, 4,172 tons; and cleared, 20 vessels, 3,553 tons. The value of imports was 16,097*l*; and the exports, 5,069*l*.

## CEYLON.

The area is 24,700; the population in 1858, 1,759,528. The revenue was 654,961*l*; and the expenditure, 594,333*l*. The shipping entered was, 3,353 vessels, 455,031 tons; and cleared, 3,454 vessels, 461,118 tons. The value of imports was 3,444,889*l*; of exports, 2,328,791*l*. The produce in 1857 was 5,750,629 bushels of paddy, 778,646 bushels fine grain, 959,425 bushels coffee, 4,755 bushels pepper, 581 bushels mustard, 3,579 bushels gram, 27,712 bushels indian corn, 7,116 bushels peas, 12,453 bushels gingeley, 108,520 pounds cotton, and 3,531,202 pounds tobacco.

The rates of customs duties on the principal articles were as follow:—

*Import Duties.*

Cotton goods, ad valorem, 5 per cent.  
Curry stuffs, ad valorem, 5 per cent.  
Cutlery and hardware, ad valorem 5 per cent.  
Earthenware, ad valorem, 5 per cent.  
Fish, dried and salted, per cwt., 1*s*.  
Grain, viz. gram, per bushel, 7*d*.  
Ditto, paddy, per bushel, 3*d*.  
Ditto, rice, per bushel, 7*d*.  
Ditto, wheat, per bushel, 7*d*.  
Haberdashery and millinery, ad valorem, 5 per cent.

Malt liquor, in wood, per gal., 3*d*.  
Ditto, in bottles, per gal., 4*d*.  
Spirits, brandy, per gal., 5*s*.  
Ditto, gin, per gal., 5*s*.  
Wines, Spanish, in wood, per gal., 1*s*. 6*d*.  
Ditto, in bottle, per gal., 2*s*. 6*d*.

*Export Duties (in 1858 only).*

Areca nuts, per cwt., 4*d*.  
Cinnamon, per 100 lbs., 2*s*.  
Coffee, plantation, per cwt., 1*s*.  
Ditto, native, per cwt., 1*s*.  
Oil cocoanut, per cwt., 7½*d*.

## MAURITIUS.

The population in 1857 was 238,365, including 142,534 Indian immigrants. In 1858 the revenue was 553,167*l*; the expenditure, 521,514*l*. The shipping entered, 825 vessels, 313,126 tons; and cleared, 806 vessels, 313,940 tons. The value of imports was 2,785,353*l*; and of exports, 2,209,076*l*. The rates of customs duties on the principal articles were as follows:—

*Import Duties.*

Apparel (according to material), ad valorem, 1857: to 1st June, 6 to 10 per cent.; from 1st June, 6 per cent.  
Beer and ale of all sorts, per hogshead, 15*s*.  
Ditto, per doz., 9*d*.  
Coffee, per cwt., 4*s*.  
Copper, sheets or nails, per cwt., 6 per cent.

Cordials and liquors, per gal., 6*s*.  
Cotton manufactures, plain, 6 per cent.  
Ditto, coloured, 6 per cent.  
Haberdashery, mercery, and millinery, 1857: to 1st June, 6 and 10 per cent.; from 1st June, 6 per cent.  
Hardware and cutlery, 1857 to 1st June, 6 and 10 per cent.; from 1st June, 6 per cent.

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Jewellery, 1857: to 1st June, 10 per cent.,  
from 1st June, 6 per cent.  
Leather, boots and shoes, 1857: to 1st June,  
10 per cent.; from 1st June, 6 per cent.  
Spirits, brandy, per gal., 6s.  
Ditto, Geneva, per gal., 6s.  
Tobacco, unmanufactured, per lb., 3d.  
Ditto, manufactured, per lb., 4d.  
Ditto, cigars, per lb., 1s.

Wine, per hogshead, 16s.  
Ditto, per doz., 2s.  
Wood, boards, and planks, 6 per cent.  
Woollen manufactures, cloth, 1857: to 1st  
June, 10 and 6 per cent.; from 1st June,  
6 per cent.

*Export Duties.*

Sugar, per 100 lbs. net French weight, 3d.

## CAPE OF GOOD HOPE.

The area was 104,921 square miles. The population in 1856, 267,096. In 1858 the revenue was 463,009*l.*; the expenditure, 494,989*l.* The shipping entered was 1,150 vessels, 405,060 tons; and cleared, 1,169 vessels, 405,167 tons. The value of imports was 2,495,341*l.*; and of exports, 1,798,179*l.* The rates of customs duties on the principal articles were as follows:—

Agricultural implements, ad valorem, 7½ per cent.  
Apothecary's wares, ad valorem, 7½ per cent.  
Apparel and slops, ad valorem, 7½ per cent.  
Beer and ale, bottled, per gal., 8d.  
Cabinet and upholstery ware, ad valorem, 7½ per cent.  
Coffee, per cwt., 12s. 6d.  
Corn, grain, and meal flour, per barrel, 3s.  
Cotton manufactures, ad valorem, 7½ per cent.  
Gunpowder, per lb., 6d.  
Haberdashery and millinery, ad valorem, 7½ per cent.  
Hardware, cutlery, and ironmongery, ad valorem, 7½ per cent.  
Jewellery, ad valorem, 7½ per cent.  
Leather manufactures, ad valorem, 7½ per cent.  
Linen manufactures, ad valorem, 7½ per cent.

Musical instruments, ad valorem, 7½ per cent.  
Oilmen's stores, ad valorem, 7½ per cent.  
Rice, per cwt., 2s.  
Saddlery and harness, ad valorem, 7½ per cent.  
Spirits, brandy, per gal., 3s.  
Ditto, gin, per gal., 3s.  
Ditto, plain, per gal., 3s.  
Ditto, rum, per gal., 3s.  
Stationery, ad valorem, 7½ per cent.  
Sugar, raw, per cwt., 3s. 6d.  
Ditto, refined, per cwt., 5s.  
Tea, per lb., 6d.  
Tobacco, cigars, per 1,000, 12s. 6d.  
Ditto, manufactured, per cwt., 2*l.* 16s.  
Ditto, unmanufactured, per cwt., 1*l.* 8s.  
Wood, deals, per cubic foot, 2d.  
Woollen manufactures, ad valorem, 7½ per cent.

## ST. HELENA.

The population in 1858 was 5,490. The revenue, 19,530*l.*; the expenditure, 19,731*l.* The value of imports, 100,119*l.*; of exports, 27,972*l.* The shipping entered, 264 vessels, 138,662 tons; cleared, 66 vessels, 26,260 tons. The rates of customs duties on the principal articles were as follows:—Beer, per doz. quart bottles, 6d.; ditto, per hogshead, 10s.; spirits, per gallon, 10s.; wines, per gallon, 1s. 9d.

## SIERRA LEONE.

The population in 1858 was 38,318; of whom, 38,211 were coloured, and 107 white. The revenue was 30,681*l.*; and the expenditure, 29,931*l.* The shipping entered was 298 vessels, 47,506 tons; cleared, 306 vessels, 48,494 tons. The value of imports was 139,805*l.*; and of exports, 225,349*l.* The rates of customs duties on the principal articles were as follows:—

Ale and beer, per doz., 1s.; per gal., 6d.  
Apparel, ad valorem, 4 per cent.  
Cotton goods, ad valorem, 4 per cent.  
Gunpowder, per barrel, 9d.  
Haberdashery, ad valorem, 4 per cent.  
Hardware, ad valorem, 4 per cent.

Rum, per gal., 1s.  
Sugar, refined, per cwt., 10s.  
Ditto, crushed, per cwt., 8s. 3d.  
Ditto, muscovado, per cwt., 6s.  
Tobacco, unmanufactured, lb., 1½d.

## GOLD COAST.

The estimated population in 1858 was 151,346. The revenue was  
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7,062*l.*; and the expenditure, 7,855*l.* The shipping entered, 447 vessels, 114,530 tons; cleared, 447 vessels, 114,530 tons. The value of imports, 122,457*l.*; and of exports, 154,136*l.* The customs duties were 2 per cent. on all goods imported.

## GAMBIA.

The population in 1851 was 5,693. The revenue was 15,920*l.*; the expenditure, 15,547*l.* The shipping entered, 191 vessels, 31,035 tons; and cleared, 180 vessels, 31,260 tons. The value of imports was 118,693*l.*; and of exports, 227,460*l.* The rates of customs duties on the principal articles were as follows:—

On all goods except produce of West Africa,  
ad valorem, 4 per cent.  
Additional duty on wines, spirits, and liquors,  
per gal., 6*d.*

Additional duty on all spirituous liquors, ex-  
cept wine and rum, per gal., 1*s.*  
Additional duty on tobacco, ad valorem, 0*¼d.*  
Ditto, ad valorem, 0*¼d.*

## GIBRALTAR.

The population in 1856 was 17,750. In 1856 the revenue was 31,631*l.*; and the expenditure, 33,355*l.* The shipping entered was 4,050 vessels, 838,248 tons; and cleared, 4,014 vessels, 833,468 tons.

## MALTA.

The area was 115 square miles; the population, 140,951. In 1858 the revenue was 142,383*l.*; the expenditure, 129,781*l.* The shipping entered, 2,764 vessels, 428,928 tons; cleared, 2,755 vessels, 427,128 tons. The value of imports was 2,195,114*l.*; and of exports, 1,528,994*l.* The rates of customs duties on the principal articles were as follows:—

Cattle, per head, 10*s.*  
Grain, wheat, per salme, 10*s.*  
Ditto, barley, per salme, 4*s.*  
Oil, per cask, 6*d.*  
Pulse and seeds, per salme, 2*s.*

Pulse and seeds, carob beans and cotton seeds,  
per cantara, 6*d.*  
Spirits and spirituous liquors, per barili, 1*l.* 2*s.*  
Wines exceeding 15*l.* in value per pipa, or 11  
maltese barrels, per barili, 1*l.* 2*s.*  
Ditto, other wines, per barili, 2*s.*

## IONIAN ISLANDS.

The area of the islands was 1,041 square miles; the population, 229,736. The revenue in 1858 was 201,276*l.*; the expenditure, 162,266*l.* The tonnage entered, 3,020 vessels, 348,169 tons; cleared, 2,941 vessels, 344,302 tons. The value of imports, 1,323,808*l.*; and of exports, 972,475*l.* The rates of customs duties on the principal articles were as follows:—

*Import Duties.*

Cattle, oxen, per head, under privileged flags,  
4*s.* 4*d.*; all other flags, 4*s.* 4*d.*  
Coffee, per 100 lbs., under privileged flags,  
4*s.* 9*d.*; all other flags, 5*s.* 4*d.*  
Cotton manufactures, ad valorem, under  
privileged flags, 7 per cent.; all other flags,  
8 per cent.  
Fish, codfish, per 100 lbs., under privileged  
flags, 1*s.* 10*d.*; all other flags, 2*s.*  
Grain, wheat, per bush., under privileged  
flags, 5*d.*; all other flags, 5*d.*  
Ditto, Indian corn, per bush., under privileged  
flags, 3*d.*; all other flags, 3*d.*  
Hides, cured for sole leather, per 100 lbs.,  
under privileged flags, 9*s.* 9*d.*; all other  
flags, 10*s.* 10*d.*

Rice, per 100 lbs., under privileged flags,  
1*s.* 10*d.*; all other flags, 2*s.*  
Rum, per gal., under privileged flags, 11*d.*;  
all other flags, 1*s.*  
Sugar, white crushed, per 100 lbs., under  
privileged flags, 4*s.* 11*d.*; all other flags,  
5*s.* 6*d.*  
Tobacco, raw, per lb., under privileged flags,  
2*d.*; all other flags, 3*d.*  
Woollen manufactures, under privileged flags,  
7 per cent.; all other flags, 8 per cent.

*Export Duties.*

Oil, ad valorem, 18 per cent.  
Currants, ad valorem, 18 per cent.  
Wine (except that of the Cephalonia Com-  
pany), ad valorem, 6 per cent.

## EUROPEAN FORCES IN INDIA.

*Papers relating to the future Organization of Her Majesty's European Forces serving in India.*

THE first paper is a report from the Political and Military Committee of the Council of India, dated the 30th June, 1859, as follows:—

The committee, having carefully considered the report of the commissioners appointed to inquire into the organization of the Indian army, together with the minutes of evidence and appendix to the report, as also the separate report of Major-General Hancock, and the memorandum by Earl Canning, together with the opinions collected in India under his lordship's instructions, submit for the consideration of Council the following remarks.

They approach the subject of the reorganization of the armies of India with a deep sense of its vast importance, involving, as it does, the stability of her Majesty's empire in India, the renown of her Majesty's arms, the power of England, and the permanent welfare both of India and Great Britain. Manifestly, the question is far from being a mere technical matter of military organization; it is one involving grave political, financial, and even social considerations, and claims to be considered as a measure of imperial moment, having no narrower scope than to seek to harmonize the interests of England and India, and to confer future tranquillity and security upon her Majesty's Eastern empire.

The committee hold that these objects are most likely to be attained by bearing in mind the difficulties inseparable from our connection with India, and the necessity for meeting those difficulties by measures suited to the exceptional nature of an empire to which history affords no parallel, to which the ordinary practice of European States is absolutely inapplicable, and the seeming anomalies of which are incidental to the tenure of a distant Asiatic empire by a European naval power whose Government has always viewed with jealousy a large standing army on its own shores, and has been guided, with reference to that of the Government of India, by the principle that that dependency should meet the charges, civil and military, of the Anglo-Indian administration from its own resources.

The committee feel that this principle, of the wisdom of which there can be no doubt, imposes in itself a limit to the amount of force to be employed in India. At the present juncture they cannot decide, otherwise than approximately, the strength of troops which will in future be requisite for the garrison of that country; but they are convinced that it cannot permanently exceed such limit as is prescribed by the amount of revenue annually available for the maintenance of the military and civil establishments. The question, therefore, is not what is the best devisable military occupation of the country, but what is the best that can be afforded.

The Act 21 and 22 Vict. c. 106, for the better Government of India, classifies the clauses which have reference to military operations under the general head of "revenues," and associates these clauses with those which rule the special audit and the annual submission of accounts to Parliament. The committee do not regard this association as fortuitous; on the contrary, it agrees with their own experience of the inseparable connection between military questions and expenditure. They are, therefore, unanimously of opinion that any arrangement which, directly or indirectly, withdrew the

armies of India from the control of the Governor-General in Council, and from that of her Majesty's Secretary of State in Council, or any measures which would tend to that effect, would be a practical violation of the spirit and of the letter of the Act, in which Parliament has, as in all former Acts, jealously guarded the application of the revenues of India.

The committee are strongly of opinion that such an infringement of the Act would be as inexpedient in point of economy as of policy; they are, therefore, opposed to the views of the majority of the commissioners. In accordance with their recommendation, the whole of the European troops in India should belong to her Majesty's line, and should therefore be under the direct control of her Majesty's Commander-in-Chief in England. This would be tantamount to placing at the disposal of the Horse Guards by far the larger proportion of the military expenditure of India. It is evident that, under such a condition of affairs, the authoritative administration of her Majesty's Commander-in-Chief over the strength and details of military establishments could not practically be impugned, the relief of troops would be ruled by that authority, and on any military question, however remotely connected with discipline or organization, the Horse Guards would claim the initiative, and the opinion of her Majesty's Commander-in-Chief would have that weight which must, in effect, render subordinate the functions of her Majesty's Secretary of State and Viceroy in India. If the Secretary of State in Council strove to control military expenditure, constant collision would ensue; if the Secretary of State in Council did not, he would abdicate the special duty intrusted to him and his Council by Parliament, and place the power of the purse in hands which are not, and could not be made, responsible for the expenditure of the revenues of India. In fact, the committee, to use the words of Lord Ellenborough, are of opinion that "the relations between the local army of India and the Secretary of State and the Council should be precisely the relations which existed before between the army of India, the Board of Control, and the Court of Directors."

The committee wish the peculiarly responsible position of her Majesty's Viceroy in India to be prominently borne in mind. The normal condition of our rule in that country is, and must remain, that of millions of Asiatics controlled by a small force at the disposal of one will—the will of her Majesty's viceroy. In times of danger to that distant empire, it is impossible to predict how much may hang upon the ability, the energy, the authority, and the influence of the Governor-General. Whether called so or not, he is, from the very necessity of his position, captain-general, and under God, everything depends upon the manner in which he wields the forces at his disposal, and on those forces regarding him as the judge of their conduct, the rewarder of their merit and fidelity; in a word, as the representative of her Majesty. Can it be to the advantage of the Crown to weaken materially the power and influence of her Majesty's viceroy? The committee think it is not. They trust that such a burst of revolt and of military anarchy as that of 1857 may never recur; but the future will have its sudden trials, and the man who must cope with them should have his hands strengthened and not weakened. This will not be done by totally dis severing the European from the native forces; nor by amalgamating the former with the line, thus diminishing their dependence on the Governor-General. The history of India abundantly proves that, even under the old system, collisions between the Governor-General and the Commander-in-

Chief have occurred, to the great detriment of the public interests. The chances of such collisions would be materially increased by the local commander-in-chief mainly looking to the Horse Guards, as would be the case under the system advocated by the majority of the commission. The committee anticipate no advantage, but much probable confusion, from the intervention of an independent and irresponsible control, which could not fail to be prejudicial to the authority of the Governor-General over the forces, and must lower his position in the eyes of the chiefs and people of India.

To the amalgamation advocated by the majority of the Royal Commissioners, the committee perceive other and almost insurmountable obstacles. Foremost among these is the assurance given to the Indian armies, in clause 56 of the Act, that they are to remain under existing conditions of service, and to be entitled to like pay, pensions, allowances, and privileges, and the like advantages as regards promotion and otherwise, as if they had continued in the service of the said Company. The Madras and the Bombay armies exist nearly in their original integrity; and it is a palpable fallacy to speak of the Bengal army as so completely defunct that the assurance of Parliament is inapplicable to the large body of its European officers—men who have evinced the utmost devotion under the most trying circumstances, many of whom rendered eminent service to the State, and all of whom are temporarily employed in the command of a force, European and native, equal, and even superior, in amount to the strength of the Bengal army before the mutiny of 1857. A *carte blanche* exists nowhere. Even prospective alterations under the powers conveyed by clause 57 would have to be reconciled with the engagements binding on the Government by clause 56. The terms, therefore, on which the army of the East India Company is to be transferred to the Crown, seem to the committee prescribed by the foresight which framed the Act with the protective provisions of clause 56.

Not admitting the inferiority of the European troops of her Majesty's Indian forces, implied by the tenor of the remarks of the majority; nor understanding, now that the Indian armies are transferred to the Crown, and have become Royal troops, the objections raised to a double army as an anomaly, when the existence of a large body of marines, under the authority of the Admiralty, is an instance that special circumstances have to be met by special arrangements; confident that the Government will cease to countenance invidious distinctions, such as those adverted to in pages 6 and 7 of Major General Hancock's report,\* the committee see no ground to apprehend that the Crown, by doing justice to his Indian armies, in the manner guaranteed to them by the Act, can be regarded as sowing

- \* 1. Queen's commissions were first granted to the officers of the East India Company's army in ... 1788  
 2. The rank of lieutenant-general was not granted to them until ... 1813  
 3. The Order of the Bath, although nominally extended to them in 1815, was not virtually conferred until ... 1826  
 4. Brevets for service were not granted to them until ... 1828  
 5. The rank of general was not granted to them until ... 1837  
 6. The appointment of "aide-de-camp" to the Queen was not extended to them until ... 1842  
 7. Their rank as officers holding the Queen's commission was not recognized in Europe until ... 1855  
 8. The first appointment ever made of an officer of the East India Company's army to a commander-in-chief in India was made in ... 1856

the seed of serious and noxious professional jealousies between the line and the local forces. Emulation there will be, but that, restrained within reasonable limits, is not prejudicial to either the local or line troops, nor, therefore, to the public service. The words emulation and jealousy seem employed according as it is wished to attach a good or bad sense to the sentiment, which, more or less, pervades all organized bodies of men acting together on the same field; and the committee consider that, on the whole, the impulse of the sentiment is wholesome and profitable to the public service.

Since these subjects have been under consideration, intelligence has been received of the open manifestation of discontent by the soldiers of several regiments of the local European force in India, on account of their services having been transferred from the East India Company to the Crown, without their being permitted the option of discharge, or re-enlistment with bounty.

The committee advert to this circumstance on the present occasion, because it supplies a powerful argument for the maintenance of a mixed European force in India. They believe that the present difficulty is entirely exceptional, and that it has arisen out of the fixed idea entertained by the British soldier (whatever be the branch of her Majesty's service, whether line or local, to which he may belong), that the Legislature is not competent to alter, even nominally, the conditions of his enlistment, without his own consent.

A similar cause of complaint is not likely to recur, but questions will arise in future in which the European soldiers may imagine that their advantage and interest are at variance with the measures of Government, and it is most desirable that the soldiery, in discussing a supposed grievance, should not be able to count upon the sympathy and support of their whole body; and, on the other hand, that the Government should have the opportunity of using one part of its European army as a check upon the other. Hence it would be wise to adopt that organization of the European army which offers the same security against combination.

Except at exorbitant cost to the State, the committee have failed to detect any practicable suggestion by which the inherent difficulties of amalgamation are attempted to be met. The European artillery and infantry of the Indian armies are constituent parts of those armies, and are equally entitled to the wisely protective provisions of clause 56; nor is it easy to discover in the report, or in the evidence printed by the Royal Commissioners, any feasible proposal, by which the fusion of the local European infantry now existing, with the line, is freed from the difficulties which attend the blending of the conflicting principles of promotion by purchase and promotion by seniority; nor do the committee observe any practical exposition of the mode in which, without detriment to the interests of the Indian armies, the European artillery and European infantry of the three presidencies are to be transferred to the line. Such severance from their respective armies, and fusion with another, would affect the promotion, the provident funds, and the status generally of the three armies, from which the large European element was dis severed in ways so manifold, that it would require more space and time than it is advisable to occupy, in order to sketch out the full effect of a change which, as proposed, is based on the alleged example of all civilized countries, and the advantage of centralization of authority. The committee neither recognize the validity of the argument in favour of

centralization, nor attach weight to the example of the military states of Europe. There is no analogy between the circumstances of the military forces of the Continent and the Anglo-Indian armies, whilst the events of 1857 proved the importance of keeping those three armies distinct and separate. The committee are convinced that the efficiency of her Majesty's Indian armies depends on the European officers, and that the position of those attached to native corps, whether regular or irregular, would be deteriorated if the European troops of the three armies ceased to belong to them. The European officers with native corps would be at once placed on a lower footing, from the fact of their not belonging to armies of such composition and strength as to have substantive weight in the consideration of the military authorities at home and in India. Discontent would ensue, and the consequences might be injurious to the temper and efficiency of the native troops under their command.

The committee attach the greatest importance to the position of the European officers with the native troops, for their position acts upon their feelings and character: and, as we cannot dispense with the employment of native troops, if we would, it is of paramount importance that they be commanded by men who shall feel themselves perfectly on an equality with officers in command of European troops, and having all the honourable objects of a soldier's ambition open to them. The officer, whether of regular or of irregular native troops, must not feel degraded, nor is it desirable that the men under him should regard their officer as of an inferior order. There is a prevalent, but a very erroneous, idea, that discipline can, with native troops, produce results which it never does even with British troops. Discipline has a limited scope, and, under its external forms, every officer, of any experience, is perfectly aware that it does not alter the peculiarities of the English, Irish, or Scotch. If this be notoriously the case with the European element of our forces, it is much more so with the Asiatic. In his case, European discipline is still more an imposed and adventitious circumstance, still more an artificial adjunct; the man remains the same beneath its external forms; discipline does not change his creed, his caste, his language, his social habits and feelings; it does not pretend to eradicate these; but it imparts certain adjuncts, viz., military obedience in connection with military duties, order, and the technical training to arms and movements. To judge from some of the evidence and remarks appended to the report of the royal commissioners, it might be inferred that discipline was far more effective than education, religion, habits of thought, and social influences, and that it could prevail over all these in some miraculous manner. This is fallacious. The effect of discipline has a certain range, beyond which it ceases to be operative; and it is precisely when you reach this boundary that an officer, if a superior man, and under favourable circumstances, will carry his troops with him. No amount of personal influence will, at all times, avail to control Asiatics where their religious fanaticism, sympathies, and passions are inflamed, and they rush madly into the vortex of revolt. On such occasions the European officers will often fall victims, or fail in their endeavours to stem the current of excited feeling among their men. Still, though that is a danger, and a condition of their service, it should only be an additional reason for securing to them as high a position, as fair prospects of command and advancement, and as much real consideration as may be practicable; for all these contribute to form their character, to give them weight and influence among closely-

observant Asiatics, and to secure to the State officers whose utility is pre-eminently displayed where mere foreign and artificial discipline ceases to operate effectually.

The committee, so far from deeming it politic to disunite the local European troops from the native armies, in order to amalgamate the former with the line, are of opinion that the maintenance of well-composed local armies, European as well as native, is essential to the permanent hold of our Indian empire. In the words of the minority, "they fear that to replace a large body of officers, accustomed to the habits and acquainted with the language of the country in which they serve, by others, doubtless of equal ability, but who during their comparatively brief residence in the East would have neither time nor possibly inclination to qualify themselves in the same manner for administrative duty, would seriously impair the power and curtail the resources of the Governor-General and Governors of the several presidencies." Convinced that the local European troops, whether artillery or infantry, have performed eminent services, and proved themselves equal to any troops in the world, the committee advocate, on the score of economy, of efficiency, and of encouragement to merit, that the local European force be largely increased. They would regard it as the permanent garrison of India, not liable to be hastily withdrawn, like the line troops, whenever political emergencies in Europe pressed upon the home Government. They recognize, however, the value of India as the best of military schools for the training of officers; they admit that, England having no other such field, it is of imperial importance that the officers of the line should have the opportunity of acquiring experience, where alone it can be had practically, and on a large scale; and at the same time the committee are fully alive to the advantages which the local force must derive from being associated with troops of the line, whose regimental system and internal economy are avowedly of a high order. The committee, therefore, consider it expedient that the line should furnish part of the European force, both of cavalry and of infantry, ordinarily necessary for the occupation of India. The troops of the line in India are, in fact, a division from a much larger army, and compose, therefore, that portion of the garrison of India which can be increased or diminished according to circumstances. The nature of the service and the practice of England admit of the expansion or of the contraction of its standing army with comparative convenience, whereas the local European troops enlisted for service in India cannot be thus treated; they cannot be either raised or discharged in that country. Hence the necessity of making the local the permanent, and the line troops the variable element of the European force employed. The committee would propose, as the ordinary proportion, that the local European regiments be two-thirds and the line one-third of the European infantry, and that the European cavalry be in the proportion of one-fourth line and three-fourths local. The Governor-General has expressed the opinion that the established strength of the local European regiments of infantry should be not above 800 bayonets, and the local European cavalry regiments 440 sabres each. The committee approve of these suggestions with the exception that they would prefer cavalry regiments of 500 sabres each, and they would have the ordinary strength of men and officers of the regiments of line, infantry, and cavalry also similarly regulated. It is a matter of considerable importance in regard to barrack accommodation, that the line and local regiments

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of cavalry and infantry throughout India should be of uniform strength respectively.

The committee are satisfied that the administration of India cannot be carried on without a considerable native force; that economy imposes a necessity for the reduction of such native force to the minimum compatible with the maintenance of order and public security over a vast area; and that it is only by keeping the native forces at a minimum that the revenues can suffice to meet the charges of an adequate European force. This minimum, therefore, an element which cannot at the present time be absolutely decided, forms one of the chief data affecting the question of the strength of European force that can be maintained in India. The chance of foreign aggression by land may be remote, and, so long as our naval supremacy is maintained, the seaboard may be held safe from attack; but India has an extensive land frontier, and it cannot altogether be omitted from consideration that our military grasp of the country must be such as to deter from invasion, by rendering it an achievement not to be undertaken lightly. This, then, forms another of the data which enters into the question of European force; whilst a third is the ability of England to afford the supply of men required. This last, the difficulty of recruiting British armies, combines with the economical phase of the question, in rendering a minimum of European force as imperative as the necessity for a minimum of native force. The committee, after maturely weighing this complex question, are disposed to think that the estimate made by Lord Canning is as close an approximation as is at present attainable. The European force in India would, therefore, under ordinary circumstances, be, as shown below,\* about 70,000 men; to which must be added at least from 10,000 to 15,000 men at the depôts, or in transit; though the committee hope that, when tranquillity and order have been completely re-established, and the railways now under construction are completed, a diminution of this large force may be found to be safely practicable.

Moreover, it will be manifest that, as there are only six regiments of local European infantry borne on the establishment of the Bengal army, three of which are new, and probably still incomplete, it will take time to raise the twenty-four regiments additional; but that, even when this were

\* EUROPEAN INFANTRY.

45 Regiments (30 local, 9 line) Bengal	...	...	27,000 <sup>1</sup>	
12 " Madras	...	...	7,200	
12 " Bombay	...	...	7,200	
				41,400

EUROPEAN CAVALRY.

10 Regiments, Bengal	...	...	4,000	
2 Line	...	...	800	
3 " Madras	...	...	1,200	
3 " Bombay	...	...	1,200	
				7,200

EUROPEAN ARTILLERY.

Bengal	...	...	...	10,000	
Madras	...	...	...	5,000	
Bombay	...	...	...	5,000	
					20,000
					68,600

<sup>1</sup> These regiments are calculated at 600 strong, out of an establishment of 800, allowing 200 for non-effectives. A similar allowance is made in the cavalry and artillery.

accomplished, Madras and Bombay having each only three European regiments, and the remainder line corps, her Majesty's line would have twenty-three regiments, and her Majesty's Indian armies, thirty-six local. A still further period must elapse before reductions in the native forces of Madras and Bombay, and the contemporaneous formation of local European regiments in those presidencies, would establish the proportion of one-third line to two-thirds local. The committee are consequently of opinion that the measure will be so gradual in execution, that it may be carried into effect without any serious inconvenience to the Minister at War, to whom it always will be practicable to give timely information of the line regiments which the Governments of India can spare for home service. The European officers of the Bengal army being available, and the officers of a regiment forming nearly one-half of its current expenses, considerations of economy, as well as those of expediency, render it advisable that the local European forces of the Bengal Presidency be the first completed.

The committee concur in the views expressed by Lord Canning in the twenty-third paragraph of his memorandum, and, adverting to the recommendation therein contained, they are of opinion that the measure next in importance to the early substitution of European for native artillerymen, is the re-organization of the Madras cavalry, by its conversion into three regiments of European, and five of irregular cavalry, and an analogous conversion of the Bombay cavalry.

The committee are of opinion that the artillery of her Majesty's Indian armies should, with the exception of a few batteries for frontier purposes and unhealthy localities, be European. The increased power and effect which late improvements confer upon this arm would, of itself, render such precaution imperative; "but of the soundness of the policy which shall make the native army feel that nearly every piece of ordnance in the British territory is in our keeping," the committee have no more doubt than is entertained by Lord Canning, and nearly every officer, civil or military, whose opinion has been recorded. The same principle applies in a scarcely less degree to the use of the Enfield rifle, which the committee recommend should be confined to the European troops.

The committee are strongly of opinion that the European artillery of her Majesty's Indian armies should be local, not line; that the transition from native to European artillery must be made gradually in the Madras and Bombay armies; but that for the Bengal army every exertion should be made to substitute, as rapidly as circumstances will admit, European for mutilated or disarmed native artillerymen.

The improvements now rapidly in course of introduction in the artillery branch of the service require to pass the test of trial and experience in the artillery of her Majesty's Indian armies before an opinion can be formed as to the general result; but it is fair to presume that these improvements must tend to produce equal, or even greater, effects, with fewer guns and fewer men, and that consequently it is of importance that late improvements be at once tried in India, and, if approved, be early introduced, with the hope that in the end a smaller force of skilled artillerymen than 20,000 will suffice. Some time must elapse before improvements are adequately tested by the rough trial of service in India; before, when satisfactorily ascertained to be fit for adoption, old guns, and shot, and shell, can be replaced by new, and before the transition from the old to a new system can be perfected. The committee consider, therefore, that the estimate of 20,000

artillerymen may for some time to come be a fair approximation. They, however, object to a double system of ordnance corps—artillery and engineers—for India, on the score both of public utility and of economy, as also on that of justice to the distinguished corps, to whose conduct and skill on every emergency England is so greatly indebted, but whose organization cannot be placed on the same footing as that of the Royal Ordnance Corps without greatly increasing their expense to the State. Even a partial assimilation has already caused a material addition to the cost of the artillery and engineers of her Majesty's Indian armies; and, as permanent juxtaposition would necessitate thorough conformity and assimilation, the committee are entirely opposed to an increase of expenditure bringing with it no correlative advantage to the public service. They would observe that the detachment of Royal Engineers now serving in India are no longer required for military objects, while it is evident that their organization, their previous training, and their local inexperience, disqualify them for that useful co-operation with the Public Works Department, which in times of peace forms the ordinary occupation of the local engineers. The committee, therefore, feel no doubt that the four companies of Royal Engineers now in India should be immediately withdrawn.

Adverting to the argument of the royal commissioners, that the constitution of a considerable force in India, restricted to local service, would cripple the resources of the State, the committee believe that, on the contrary, the formation of such a local force, as is proposed by Lord Canning, would be beneficial to the general interests of the empire. That force would be considered as absolutely the lowest to which the European garrison of India could, even under the most favourable circumstances in that country, be reduced, without peril to the empire; and, under such circumstances, the auxiliary regiments of the line might the more readily be made temporarily available for other objects. It must always be borne in mind that, at a period of any national crisis in Europe, the withdrawal of a large portion of the European garrison of India might be tantamount to the loss of that country, without even a prospect of affording timely assistance to England. This, in the opinion of the committee, is a sufficient reply to the observations of the majority of the commissioners upon the point above referred to. They, therefore, agree with the sentiments of the minority in the report, who state that "They consider such a force to be a wholesome check on the precipitate withdrawal of European troops from India, in cases where the home Government might happen to find itself under the pressure of political emergencies in Europe, and they feel confident that the transfer of the Indian armies to the Crown will prove a source of present and future security to her Majesty's empire in India, in proportion as radical and organic changes are few, and the weight and stability of the local armies are maintained by largely, but economically, increasing their European element." For the latter purpose, it will be advisable that the Act of Parliament (16 & 17 Vict. clause 31) which restricts the local European troops, and the recruiting, to an aggregate of 24,000, be abrogated, if not already cancelled by Act 21 & 22 Vict., and that every facility be secured by a new Act for raising and maintaining the local European force at the strength recommended.

The committee concur generally with the remarks made by the royal commissioners upon the sixth question, which has reference to exchanges between the officers of the line and local European forces. The committee

must observe, however, that the condition of the Indian finances is not such as would warrant the assumption of liabilities and engagements, the capitalized value of which, for the Bengal fund alone, is, according to Mr. Neison, 872,852*L.*, and according to Colonel Hannington, 932,528*L.* By reference to the donations made by authority of Government to various provident funds, viz., the Bengal, Madras, and Bombay Military and Medical Funds, the capitalized value of their liabilities may be roughly estimated at four times Mr. Neison's and Colonel Hannington's approximations for the one fund to which their calculations refer. Certainly the only alternative by which the royal commissioners discover a means of removing the difficulties inseparable from the subject of exchanges between a seniority service with provident funds, and a purchase-promotion service without provident funds, viz., by Government incurring responsibility for annuities to a capitalized value of three and a half millions sterling, and guaranteeing all the liabilities of the funds, past, present, and future, must be regarded as an insuperable obstacle at a conjuncture of peculiar financial pressure, even were it not open to other and very serious objections.

The temper and character of the native armies of India are not less distinct than the natural disposition of the people of the different provinces of the empire. From the timid and usually weaponless Bengalee to the warlike and aspiring Sikh or Rajpoot, and the armed and fanatic Affghan, there is every shade of disposition. The committee feel, therefore, that, however important to approximate to the minimum of native forces, it is impossible to fix a relative proportion between native and European troops, which shall be applicable to every province. They, however, consider that the proposal made by Lord Canning, in the 17th and 18th paragraphs of his memorandum, is not likely to be in excess of existing requirements. It gives fifty regiments of native infantry, at a strength of 700 men each, or an aggregate of 35,000 infantry. Now it appears from the return lately called for by the House of Commons, that, on the 1st of February, 1859, there were of sappers and miners, and of all descriptions of native infantry, including the Punjaub and Sikh regiments, not less than 62,269 men. The proposal, therefore, is for little more than half the force of native infantry actually existing.

The native forces must, however, be held to comprise the police and other levies which have lately been raised. The committee concur in the opinion expressed by the royal commissioners, that the maintenance of so large a body of military police, "differing in no essential respect from the Bengal Sepoy army," would be a source of future danger, and they would advocate an early and considerable reduction of this force.

They would deprecate the general extension of the military police system in supersession of the civil police, which, they think, should be improved rather than subverted. They would prefer for each province a police system, partly civil and partly military, which they believe would be found best adapted to secure all essential objects, while it would diminish, if not altogether obviate, the danger to be apprehended from large bodies of armed police under a military organization. Independently of these arguments, they would view with apprehension the great extension of a system, which must practically supersede the original native institution of village police by lowering its scope and utility, and the effect of which must inevitably lead the civil officers to lean more on the organized force at their disposal, than on the management of the people through their own habits and insti-

tutions. Such a result must prove prejudicial to the character and influence of the civil officers, and galling to the people, with whom a very large militarily-organized police will often be a foreign, and, where not foreign, equally an overbearing and uncongenial institution. Assuming that the military police levies will be reduced to 45,000 men, the total native force for the Bengal Presidency would then amount to 80,000, or at the most 85,000 infantry; and the resulting ratio between the European and native infantry would be as one to three, police included; or as one to one and one-third, if the police be excluded. It is clear that under such proportions the native army could, in case of war, be much increased without danger. The ordinary constitution of a brigade is one European to two native regiments; and, where the artillery is entirely European, the brigades would even admit, in time of war, of having one European regiment to three native, or a ratio of European to native infantry of about one to three. The proposal, therefore, is suited to the requirements of peace, and affords a margin for safe expansion of the native element in time of war, when it is least dangerous to internal tranquillity.

The committee concur with the opinion expressed by the royal commissioners in reply to the seventh question, and consider that any admixture, regimentally, of the European and native soldiery must prove detrimental to the efficiency and discipline of both, and is in every respect to be deprecated as dangerous and inexpedient.

The committee are also opposed to raising regiments in tropical countries for service in India. The emergency which might, at one period of the revolt of 1857, have rendered such aid most useful, has passed. The military service of the Indian armies opens an honourable field of employment to classes who would otherwise find no suitable means of livelihood, and whose want, turbulence, and discontent, might create frequent embarrassment. Native armies, kept within safe limits as to numbers, are a pledge of the confidence and good-will of the Government towards the people, and give occupation to a portion of the daring and energetic classes, who might otherwise be opposed to us. Notwithstanding the mutiny of 1857, the committee are of opinion that, these native armies being indispensable, and the employment of the military classes within certain limits matter of good policy, it is inexpedient to introduce tropical troops foreign to the soil, who would be regarded with jealousy and aversion by the people of India, and would, in point of expense, be almost on a par with European troops, and having no bond of union with the Government except that of mercenary considerations, could not be absolutely relied upon as to their fidelity in the event of any great emergency. The committee prefer that every exertion should be made, by the care taken that our native troops be officered by well-educated gentlemen, to render our native armies, under the presidency of the European officers, schools of order and discipline, tending to the weakening of prejudice and the advancement of civilization.

With this conviction, the committee would express its general concurrence with the spirit of the remarks made by Lord Canning in the 43rd, 44th, and 45th paragraphs of his memorandum, and with those of the royal commissioners, in reply to the twelfth question. The precise mode of carrying this measure into execution will require careful consideration, and cannot be finally settled until the main question of the organization of the Indian armies has been decided. The committee are, however, strongly

of opinion, that, whether a young officer acquire the professional knowledge expected from an efficient subaltern with a European regiment in India, or with one in England, he ought not to join native troops, until this, the rudimentary part of his military education, has been mastered, and he is consequently able to take his place as an efficient officer, without a course of preliminary instruction in the ranks of the native regiment with which he is to serve. Further, the committee cannot but feel that the principle of selection for command of regiments having been enforced in the Indian armies, and also the principle of removal from command at the discretion of the local authorities, and, it being in contemplation largely to augment the power of commanding officers of native regiments, the necessity of securing a high scale of qualifications among young officers has been enhanced, it being manifestly desirable to remove, as far as possible, the danger of having ultimately to intrust large powers to officers whose qualifications for command might be of an inferior order; and that the pension-list should be as little increased as possible by the operation of the two principles of selection and removal, the tendency of which will be to throw off the inefficient from the effective list of the army at an earlier period. The less inefficiency, therefore, the less future expenditure, and the less discontent and mortification.

The committee see no reason for immediate change in the formation of the Madras and Bombay native infantry, but they would recommend that orders should be issued that the extra battalions, raised in consequence of the recent disturbances, be disbanded as soon as possible, and that ultimately the regular battalions in each army be reduced to 700 men. In the Bengal army they would leave the question of the composition of regiments to her Majesty's Viceroy in Council. They would, however, express a decided opinion, that it is of the highest importance to have regiments of different kinds; some in which castes and creeds are mixed promiscuously; some in which companies may be of distinct races and creeds; others, again, in which corps may be of one race, or caste, or creed. In an army employing Affghans, Seikhs, Goorkhas, Hindostanee Mussulmans, and Hindoos of every caste and province, none are likely to judge so well as the local authorities what precise composition may be expedient. At the same time, the committee are of opinion that it would be politic that the recruiting for particular corps should be confined, as far as practicable, to particular districts, a due admixture of castes and creeds being still kept in view. Regiments so raised would be available for general service, but would be usually employed near their own districts.

The committee entirely approve of the recommendations made by Lord Canning with respect to the European and native cavalry in the 19th and 20th paragraphs of his memorandum. Of native cavalry, they would have none but irregular; of European cavalry, they greatly prefer having ten regiments of a strength of 500 sabres each to five regiments of 818 sabres. Wherever British troops are cantoned, it will be essential in future that the force be a well-balanced one, and that the artillery be, wherever practicable, secure of the support of European infantry, or European cavalry. With reference to the great area of the Bengal Presidency, and the numerous positions which must be held by brigades, this recommendation, so strongly urged by her Majesty's Viceroy, is of great importance both to the general security of the country, and also to the self-reliant composition of the brigades and divisions.

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The report of the royal commissioners, besides replies to the questions referred for their consideration, contains nine recommendations, upon important points. The subject of their first recommendation, viz., the composition of the native army, has already been dwelt upon. With reference to the second recommendation, the committee feel that it would be inexpedient to affirm the application of the principle of general service corps in its entirety to the three presidencies. In the Bengal Presidency this principle would exclude from service races of excellent soldiers. They have no doubt, however, that a proportion of the native army of Bengal should consist of general service corps. In the principles advocated in the third, sixth, and seventh recommendations, having reference to the clothing of the troops, the promotion of native commissioned and non-commissioned officers, and the simplification of the pay codes, the committee would express their general concurrence, but would leave a large discretion as to the mode of carrying out these measures in the hands of the Governor-General and local Governments.

With respect to the fourth recommendation, the committee have already expressed the opinion that the whole of the artillery should be European; this disposes of one of the scientific branches of the service. The other, namely, the sappers and miners, cannot, in the opinion of the committee, be composed otherwise than partially of Europeans. Labour with pick and spade constitutes a great part of its duties. This labour must indeed be under skilful officers, and skilled European non-commissioned officers; and it is rather for the purpose of supplying the latter element than for affording skilled labour in the field, that European sappers and miners are useful in India. The present constitution of the sappers and miners has this object in view; it unites European skill for supervision and direction with native labour—the only practical combination suited to the circumstances and the climate.

The committee concur with the fifth recommendation, viz., that the Articles of War, which govern the native army, be revised, and that the power of commanding officers be largely increased.

With reference to the eighth recommendation, the committee are of opinion that her Majesty's Viceroy should henceforward be, by name and commission, as he now is in reality, captain-general of the forces in India; and that there should be general officers commanding, under the captain-general, the several armies of Bengal, Madras, and Bombay. The committee would not designate these officers commanders-in-chief, but commanders of forces; neither would they have them *ex officio* members of Council. A seat in Council involves remaining at the presidency town, and militates against that active supervision, which makes a commander of the forces acquainted with the officers and troops under his control, and prevents both from falling into habits of supineness and of relaxed discipline. There is an absolute necessity for the subordination of the generals commanding the forces, and for the absence of all conflict; it is politic, therefore, that the paramount authority and responsibility of her Majesty's Viceroy in India be placed above all question, and subject to no control, direct or indirect, but that of her Majesty's Secretary of State for India in Council. Under the captain-general there should be a minister of war, by whom all the administrative details of the armies in India should be carried on. The duties now performed by the commander-in-chief should be divided between the minister of war and commanders of forces for each province.

It is a question with the committee whether there should not be separate commanders of the forces for the Punjaub, for the North-West Provinces, and for Bengal, with two, perhaps, for Bombay, including Scinde, and two for Madras, provided such an arrangement can be carried into effect without any increase of expenditure, which the committee believe, by the remodelling of divisional commands, and by recasting the general staff, to be practicable. These commanders of the forces would carry on all the executive duties of the commanders-in-chief within their own circles. They would, during the proper season, make a tour through their respective provinces, and make themselves thoroughly acquainted with the resources and physical features of the country, and with the officers and troops under their command.

The committee, upon the subject of staff and civil employment, concur generally with the views of Lord Canning, as set forth in paragraphs 30, 31, 32, 33, 34, and 35 of his memorandum. They are of opinion that the system of seconding officers, withdrawn from their regiments for civil employment, is the best adapted to the general requirements of the service in India. The system of seconding does not meet all objection that can be raised, but it meets most, is more economical than any other expedient, and will preserve to the Government the advantages of the existing method of aiding in the administration of India by the partial employment of military officers in civil and political situations. It would be necessary, however, to lay down stringent rules for its application, to prevent its undue extension and abuse.

The committee are aware that they leave untouched many most important questions; among these they would instance pensions of native armies; system of double staffs; the appointment of chiefs of the staff; system of twofold medical staffs and services: these and a variety of other matters would admit of much remark; but the committee consider that many of these subjects can best be dealt with either in India by the Governor-General in Council, or in England by the Secretary of State, after the question of the reorganization of the Indian armies has been decided; they regret the time that has already elapsed without any definite conclusion upon the broad features of army reorganization; and they are averse from clogging immediate action by any enlargement of the sphere of disquisition. They prefer, therefore, limiting themselves to such general remarks as arise from the perusal of the papers before them, and would seem sufficient to guide the Government of India in carrying out the views of her Majesty's Government, without too much restricting the discretion which it will be imperative upon her Majesty's Viceroy in Council to exercise. He will have a most arduous task to perform, and they would not fetter his judgment as little as possible in the execution of a duty which brooks no further delay.

This report was signed by Mr. J. P. Willoughby, Sir John Lawrence, R. J. H. Vivian, H. M. Durand, and Captain Wm. J. Eastwick.

In conclusion, the committee regret that they are unable to come to a unanimous decision upon one important point connected with the reorganization of the native army of Bengal. It has been discussed in committee whether, under the late Act, they are at liberty to introduce any changes into the present military system, which would immediately affect the rights, interests, and privileges, and especially the future promotion of the officers



of the Bengal army. The majority of the committee are of opinion that there is nothing in the Act referred to which prevents the Government from introducing that system which may be deemed most advantageous to the future safety and interest of our Indian empire. Clause 56 guarantees to those officers their present rights in the ranks they now hold, and that the present system of promotion shall not be changed when the army has been reorganized. But the majority of the committee are not of opinion that the Act interposes any obstacle to the exercise of a power, inherent in all governments, of reducing or augmenting their armies according to the exigencies of the public service. If this view be correct, Sir J. Lawrence and Captain Eastwick consider that it is not advisable to maintain any of the native infantry regiments on the footing of the regular regiments of the former Bengal army, but would organize as many of them as may be considered necessary on the irregular system. In this view Mr. Wilmoughby concurs, with the exception that he would not apply that system to those regiments of the former Bengal army which have either remained faithful or have been created from the remnants of corps (such as the Lucknow regiment) which remained loyal during the mutiny.

The remainder should, in the opinion of the committee, be organized according to the irregular system, which, they consider, has worked quite as well with the native infantry as with the cavalry. The true system of managing Asiatic soldiers is to have few European officers over them, and those as carefully selected and as well trained as practicable. In times of peace, it is a useless incumbrance having many European officers with native troops, as an idle garrison life generates habits prejudicial to discipline, and affords a bad example to the men. In times of war, they are undoubtedly more necessary, and can be supplied, to a limited extent, from the European battalions, local or line, or from other sources. On financial grounds, it is not expedient that, with a view of meeting an exceptional state of things, we should maintain a system which involves a large continuous outlay, and which, in ordinary cases, and for a series of years, is not only needlessly expensive, but actually injurious. The irregular system has undergone the severest tests on the frontier stations in Scinde and the Punjab, and during the late campaign. It is, in its main features, that which was in force during the early days of our rule, and its extension is advocated by some of the ablest officers India has produced. On the other hand, there are officers of high authority who, admitting its success as far as it has hitherto been introduced, as an auxiliary, entertain doubts of its efficiency in entire supersession of the regular system, and without having the regular system to fall back upon as a reserve. It would be well, therefore, to proceed by degrees, and to regard the step as an experiment. We should still maintain the Madras and Bombay armies upon the old footing, but reduced in numbers, and we should have the opportunity of comparing the systems, and of adopting ultimately throughout India that which proved itself to be the most efficient organization.

If this plan be adopted, it must be obvious that a considerable number of the officers of the Bengal army will become supernumerary, and the important question arises, how they are to be provided for. Without fully entering into detail, it appears to the majority of the committee that they should be distributed among the regiments which are to be reformed, each officer taking rank according to the date of his commission; but, with the view of mitigating the evil which would ensue from stagnation of promotion,

and in order to make the absorption of supernumeraries more gradual, they recommend that promotion should be made either alternately, or two in three vacancies.

This addition was signed by Mr. J. P. Willoughby, Sir John Lawrence, and Captain Wm. J. Eastwick.

The minority of the committee concur with the draft report except the above addition. They do not concur with the views expressed by the majority (itself not unanimous in their application), in the additional remarks; for they regard the views of the majority, and the several modes in which they contemplate carrying them into execution, as open to the gravest objections.

The minority of the committee can find no words in clause 56 of Act 21 and 22 Vict., cap. 106, which warrant the construction adopted by the majority, namely, that "it guarantees to those officers their present rights in the ranks they now hold, and that the present system of promotion shall not be changed when the army has been reorganized." Such a foreclosure of existing rights to the precise position as to rank in which officers of the Indian armies were at the moment of passing the Act, is neither in consonance with the letter nor the spirit of clause 56. The obligations imposed, and the privileges assured in consideration of the fulfilment of these obligations, are alike future in their scope, and cannot be restricted to the narrow meaning attached to them by the majority, without a violation both of the sense and construction of the clause. The provisions of clause 57, which draw a distinction between the possible future conditions under which persons might have to enter the service, and those under which persons had hitherto entered, and were to continue, are an additional proof of the nature of the assurance contained in clause 56. The minority of the committee are, therefore, of opinion that, as the law stands, clause 56 prescribes the terms under which the armies of the East India Company were transferred to the Crown; and that radical organic changes, detrimental to the existing conditions of service, would be an infringement of the *bona fide* meaning of the Act; and that all measures affecting the Indian armies, whether of reduction or augmentation, ought to be made in accordance with, and not in violation of, Act 21 and 22 Vict. cap. 106.

The minority of the committee do not, however, regard the mere question of law as of equal importance with the manifest expediency of acting in accordance with the politic spirit of the Act; and they, therefore, strongly advocate the organization proposed by Lord Canning for the native infantry of the Bengal army, as combining efficiency, economy, and justice, and avoiding the complications, embarrassments, inefficiency, and great practical injustice inseparable from the propositions of the majority of the committee.

The plan proposed by Lord Canning adequately provides for the necessities of the State, furnishing nearly the number of officers required for civil, military, and purely regimental duties; it does so with the least disturbance of system, and with an absence of theoretic and untried innovation. Whilst meeting the ascertained requirements of the State, it evinces the utmost consideration for the officers of the Bengal army, who have acted so nobly during the late trying period, and secures for all what has been continued to a large portion, namely, the standing position, and, so far as compatible with State interests, the future prospects guaranteed to them by

the recent Act for the better government of India; it avoids the inconsistency of continuing to the engineers, the artillery, the cavalry, and to several European regiments of the Bengal army, and to the whole of the Madras and Bombay armies, their respective positions; whilst placing the European officers of the Bengal army, not already absorbed by the increase introduced of European regiments, on a different footing from their more fortunate, though not more deserving, comrades. It provides, by gradual absorption, for the ultimate reduction of the number of colonels, rendered necessary by the doubling up of cadres of officers; but it does so with the smallest practicable injury to the whole body of officers, to whom the rights and position enjoyed under the Company's commissions are thus preserved. It introduces a preponderating body of irregular regiments, without altogether abolishing the regulars, and thus secures the advantage of competing systems. It does not preclude the extension of the irregular system, should the gradual absorption of the regular regiments become advisable. In the meantime, it aids in securing for the irregular system an indispensable reserve of European officers from among whom selection is possible.

The minority of the committee are of opinion that, although the system of irregulars, both cavalry and infantry, has succeeded—having the advantage of the whole large regular service as a field for selection and supply to depend on for its European officers—it does not follow that the general introduction of that system, deprived of so manifest an advantage, should prove equally successful. In the instances, quoted by the majority, of the irregulars on the Scinde and Punjaub frontiers, it is notorious that the authorities of those provinces were allowed such a latitude in the choice of officers as would certainly not be feasible in the absence of a large reserve of regulars.

Moreover, it is indisputable that the irregular system, both for cavalry and infantry, would probably have broken down on service, from the insufficiency of its European officers, had not Lord Clyde, at great sacrifice, and with considerable embarrassment, supplied this essential requirement. It is palpable that the difficulty would have been much more serious had there been no officers of the regular army to fall back upon, or only line or local European corps, weakly officered at the commencement of the struggle. The minority of the committee are averse from trying the experiment on a dangerous scale in the Bengal Presidency, and they consider that Lord Canning's proposal is as much as can be safely hazarded without the test of enlarged experience, both in India, near to the main reserve of European officers, and on foreign service (should such unfortunately occur) far from such reserve.

Of the majority of the committee, Sir J. Lawrence and Captain Eastwick appear to contemplate assigning to the twenty-four proposed additional local European corps the sixty-eight cadres of European officers by a system of fusion, the principle of which is not clearly explained; Mr. Willoughby would exempt from this fusion such regiments of the former Bengal army as have either remained faithful, or have been created from the remnants of corps, such as the Lucknow regiment, which remained loyal during the mutiny. From the absorption of supernumeraries, and the recommendation as to promotions being made either alternately, or two in three vacancies, the majority seem to intend the absorption of the twenty cadres of officers, which Lord Canning assigns to the twenty regiments of regular native infantry.

The minority do not understand upon what principle this fusion is to be carried into effect; it would involve much partiality, a large amount of injury, and no ingenuity could make it equitably dovetail with the existing system. Moreover, the proposal could not, without extensive seconding, or a still more expensive unattached list, meet the requirements of the State. It would, therefore, they believe, be scarcely, if at all, more economical than Lord Canning's proposal, and could not fail to excite universal discontent. Under such a system, the local European corps, deprived of their best officers, selected on higher rates of pay for the native troops, would be placed upon a disadvantageous footing, and looked down upon. The aid derivable from officers of corps of the line is limited in time of peace, liable to sudden interruption in time of war, and could only be increased by sanctioning an expensive addition to the established strength of her Majesty's corps in India.

The minority of the committee deem that the proposed arbitrary fusion of a portion of the officers of the Bengal army, and a modified and greatly retarded system of promotion, must be acknowledged seriously to affect pay, pensions, allowances, and privileges. The minority cannot, therefore, reconcile the proposal of the majority with any reading of clause 56 which attaches to the words of that section the meaning in common acceptation. In the instance of the discontent of the European troops at their transfer to the Crown, they have a warning how easily, even where law is clearly on the side of Government, a misapprehension may arise and embarrassments ensue. They shrink from the difficulties into which a Government may plunge itself by any departure from the straight line of legality and good faith; and they regard the proposal of the Royal Commissioners as more consistent; and not involving a greater departure from legality and expediency than the proposal of the majority of the committee, whilst it certainly would secure regiments from being obnoxious to the charge of having their discipline intrusted to those who have not the good fortune of being selected for detached employment and higher emoluments.

The minority of the committee fully recognize the urgent necessity for the reduction of military expenditure to the minimum compatible with the safety of her Majesty's Eastern empire; but they are of opinion that measures of economy should not be partial in operation; that they should not trench upon real efficiency; and that they should scrupulously conform to the assurances of an Act which, until rescinded, is law. They consider Lord Canning's proposal to be as economical as is consistent with other primary considerations, and they would prefer looking to a future diminution of the strength of European troops, and to very large reductions in the militarily-organized police, to any crippling of the forces necessary for the maintenance of our power in India.

This part was signed by Mr. R. J. H. Vivian and Mr. H. M. Durand on the 4th July, 1859.

The second paper is a report on the comparative cost of troops of the line in India, and of the European troops of the late East India Company, by James T. Hammack, Esq., assistant superintendent of the statistical department, at the Registrar-General's office, Somerset House.

The general results at which Mr. Hammack arrived from the materials laid before him are as follows:—

That the cost of 1,000 men, including officers, of the line troops, under

a system of frequent reliefs, will exceed that of the same number of the local European force.

That the annual excess of cost of the line of troops, computed according to the existing regimental organization, and allowing for the officers of both armies absent on staff employ, will be for,—Infantry, about 6,260*l.* per 1,000 men of all ranks; cavalry, about 9,620*l.* per 1,000 men of all ranks; artillery, about 5,390*l.* per 1,000 men of all ranks; and, if the establishments of the local army were assimilated to those of her Majesty's service, the excess would be, for,—Infantry, about 9,410*l.* per 1,000 men of all ranks; cavalry, about 5,670*l.* per 1,000 men of all ranks; artillery, about 6,280*l.* per 1,000 men of all ranks.

That the rate of mortality in the local European force has hitherto been lower than amongst the line regiments in India.

That the proposed system of more frequent reliefs will probably equalize the mortality in the two armies, while it will diminish invaliding from the line regiments, and render the men available for future service elsewhere.

That, financially, these advantages will be counterbalanced by the increased expense incurred for the transport of line troops to and from India, and for maintaining, out of the Indian revenues, the additional force requisite to cover the loss of service of the officers and men of relieving and relieved regiments constantly on the seas.

Upon the health and mortality of the troops Mr. Hammack said—The maintenance of the troops in health is not only the condition most essential to their efficiency, but it is also of great importance as regards the question of expense. It is now well understood that the best economy which can be practised in the administration of the army is economy of life, and the enormous waste of public money occasioned by the losses in men from inattention to sanitary considerations in past times is at length recognized. The unhealthiness which destroys one soldier, whose value in India is reckoned at 100*l.*, places several others under treatment in hospital.

The course of inquiry for determining the comparative health of the line and local troops may be gathered from the arguments used on the one side by the advocates for the employment of line troops only, and on the other by those who advocate the continuance of the local force. By the first it is maintained that the European constitution can never be said to become acclimatized, but, on the contrary, surely and gradually deteriorates from continued residence in India; that regiments periodically relieved are healthier than those serving continually in the country; and that the troops of the line, being less debilitated by long tropical residence, are likely to be more efficient than the troops raised for service in India alone. Those who think the local European force should be continued, contend that the troops become "seasoned" by long residence in India; that their experience enables them to follow what is beneficial and to avoid what is hurtful; and that, in fact, taking the average results of considerable periods, they enjoy a greater immunity from sickness and mortality than the line troops.

For the complete elucidation of these subjects returns would be required, showing the number of deaths at different ages and at different periods of service, the number of cases of sickness (admissions into hospital), the average duration of such cases (or numbers constantly sick), and the extent of invaliding resulting from them, all with reference to mean strength, and the observations should be spread over a considerable period. The necessary data are believed to exist, but they have not yet been collected and made

available in England. Several of the returns of mortality printed in the report of the Indian Army Commission are almost useless for the purposes of comparison, either from the numbers not being separately given for the two armies, or from the absence of combined results for the three presidencies.

In illustration of this remark, I may refer to a comparative table of the strength and deaths in the line and local army, compiled partly from a return of Mr. Hornidge, and partly from the War Office sanitary returns. The table extends over the 13 years from 1843 to 1855, but for six only of these years can results be obtained for the whole of India, owing to the Queen's and Company's troops not being distinguished, or to the want of returns from one or other of the presidencies. From the numbers applicable to Bengal for seven years, and to Madras and Bombay for a longer period, the following ratios are obtained :—

The annual ratio of deaths to 1,000 of strength is—Her Majesty's forces, Bengal, 67·2; Madras, 39·0; Bombay, 45·9: Company's European forces, Bengal, 61·1; Madras, 30·6; Bombay, 33·7. It might be thought that these results, as far as they go, impart useful information regarding the relative mortality of the line and local troops. Sir A. Tulloch, however, points out that they require correction for losses among the Queen's troops in the campaigns of the Punjaub and in the Burmese wars, as well as for other instances of exceptional mortality; and, after the removal of all these sources of discrepancy, he concludes that "the loss in the East India Company's European force has been greater than that of Her Majesty's army in Bengal by above 2 $\frac{1}{10}$  per thousand, and less in the Madras and Bombay Presidencies by 5 $\frac{1}{10}$  and 4 per thousand respectively." It should be stated, however, that Colonel Baker writes, with reference to the table in question: "From the second of these tables Sir A. Tulloch has attempted to deduce a different result, but he has done so by a process which I consider quite inadmissible; for instance (p. 38), he deducts from the mortality of the line, 360 men killed in action in 1848-9, but makes no corresponding deduction from the casualties of the local corps which were engaged in the same operations." A table furnished by Colonel Baker, in which the annual ratios of deaths during the period referred to have been calculated for the line and local troops, exclusive of the men killed in action, but including those who died in hospital from wounds, exhibits a lower rate of mortality among the local force in almost every year.

The comparative mortality of the infantry regiments of the two services on an average of the years 1843 to 1852, a period including the campaigns in the Sutlej and Punjaub, was as follows:—

Queen's regiments, aggregate strength, 270,200; deaths, 17,163; annual ratio of deaths to 1,000 strength, 63·5. Local European regiments, aggregate strength, 50,938; deaths, 2,885; annual ratio of deaths to 1,000 strength, 56·6. Excluding the four years of war, the average mortality per 1,000 is reduced to 53·4 in the Queen's forces, and 49·4 in the local corps.

From the various modifications and corrections pointed out as necessary to be attended to in dealing with these returns, and in order to neutralize the effects of exposure on service, visitations of sickness at particular stations, and other exceptional causes affecting the sanitary condition of regiments, it is obvious that the comparative mortality of the troops can only be determined by the average results of a long series of years. To this end Sir

A. Tulloch has furnished a return, showing the strength and deaths in her Majesty's regiments in each of the presidencies for 39 years, namely, from 1817 to 1855. This table exhibits the following aggregate results:—

Queen's regiments: aggregate strength, 792,939; deaths, 55,584; annual ratio of deaths per 1,000, 70·0. Deducting the deaths from wounds and sickness in various campaigns, Sir A. Tulloch considers that the losses "may be reduced by about 8,000 or 9,000 men, or to an average of 60 per 1,000 annually."

Corresponding details for the local force are not found in the report of the Royal Commission carried back to an earlier period than 1843. I find, however, in a paper by Colonel W. H. Sykes, M.P., "On the vital statistics of the East India Company's armies," printed in the transactions of the Statistical Society of London, tabular statements of the mortality of the troops in each presidency from 1825 to 1844 inclusive, the facts being derived from a return to an order of the House of Commons upon the motion of Mr. Hume. To the numbers thus obtained, I have added those for the subsequent years (omitting the years for which the returns for either force are incomplete), and the result is the comparative table given in the Appendix, of which the following is a summary:—

Her Majesty's troops: Aggregate strength, 533,752; deaths, 36,712; ratio per 1,000 of deaths to strength, 68·8. Company's troops: Aggregate strength, 318,272; deaths, 16,341; ratio per 1,000 of deaths to strength, 51·3.

So far as the proportion of deaths may be accepted as a test of comparative healthiness, the results are uniformly in favour of the local troops. Still it is impossible to say whether the deaths recorded under two different systems admit of strict comparison, and it would be satisfactory to know whether the numbers for the Company's troops include the men killed in action.\*

The loss of efficiency by sickness is next to be considered. Statements of the number of admissions into hospital are given for the line troops, compiled from returns forwarded to the Medical Board from 1817 to 1836, and from the annual sanitary returns transmitted to the War Office from 1838 to 1856; but they are defective, as they do not relate to all the Indian stations, and as explained by Sir A. Tulloch, "they are also exclusive of the loss on long marches, which is often very heavy." The following are the results for the two periods of observation:—Years 1817-36 (26 stations): Aggregate strength, 259,695; total admissions into hospital, 450,485; ratio per 1,000, 1,735. Years 1838-56 (38 stations): aggregate strength, 250,271; total admissions into hospital, 464,597; ratio per 1,000, 1,856. Total: aggregate strength, 509,966; total admissions into hospital, 915,082; ratio per 1,000, 1,794.

For the local army the only similar data at hand are the following, derived from Colonel Sykes's paper before mentioned. They relate to the years 1825 to 1844, but scarcely admit of comparison with the above, as they purport to be complete for the whole of India:—

*Company's Troops.*—Bengal: Aggregate strength, 88,380; total admissions, 158,160; ratio per 1,000, 1,790. Madras: Aggregate strength,

\* Since the above was written, Col. Sykes has favoured me with the following answer to inquiries made by him at the India Office on this point:—"The killed in action are distinguished in the latter part of the returns received, but do not appear to be included in the general mortuary returns, which treat of deaths from diseases alone."

101,210; total admissions, 135,720; ratio per 1,000, 1,341. Bombay: Aggregate strength, 50,987; total admissions, 88,720; ratio per 1,000, 1,740. Total: Aggregate strength, 240,577; admissions, 382,600; ratio per 1,000, 1,590.

Amongst the local troops the admissions into hospital were 1,590 per 1,000 of the strength, so that every man was admitted once, and more than half a second time within the year. In the line troops during a more extended period, the cases of sickness at certain stations were in the ratio of 1,794 per 1,000 of the strength. Returns of "admissions into hospital" alone have only a limited statistical value, for the deaths may be, and often are, most numerous when the admissions into hospital are fewest: but, when the duration of the cases is also stated, so that the numbers constantly sick may be arrived at, the information is useful. It appears from returns by the adjutant-general, dated August and September, 1858, showing the effective state of the Queen's regiments in India, that of 57,595 strength, 6,616 were sick. This is in the proportion of 115 per 1,000, or one in 8·7 unfit for duty owing to sickness. Some of the regiments had not been twelve months in India, while several of them had been recently engaged in active service in the field.

So far as the means of comparison extend, the results point to the conclusion that the amount of mortality and sickness experienced by the local European troops during a course of years has been less than in the line force, although in what precise degree it is impossible to state, owing to the defective character of the returns. It remains to be considered how far the opinions expressed with respect to acclimatization are borne out by the facts, and also what effect the proposed system of frequent reliefs may be expected to produce on the health of the line troops.

Great authority must attach to the professional opinion of Mr. J. R. Martin, F.R.S., and to the statistical statements of Sir A. Tulloch upon this subject. Mr. Martin has stated his belief that there is no such thing as acclimatization, and that length of residence in India, so far from conferring any advantage to the European constitution in the way of acclimatization, surely and gradually leads to physical degradation. He points out the formidable diseases which attack and destroy the British soldier during service in the plains of India, and strongly urges the importance of having the European forces removed to the mountain ranges, which afford the ready means for the prevention of much of the mortality from those disease of the plains.

Sir A. Tulloch shows the increasing ratios of mortality (per 1,000) with the advance of age, from returns extending over seven years, ending March, 1837, as follows:—

Bengal: 18—25, 23·8; 25—33, 50·3; 33—40, 50·6; 40—50, 83·3; all ages, 44·5. Madras: 18—25, 26·0; 25—33, 59·3; 33—40, 70·7; 40—50, 86·5; all ages, 52·2. Bombay: 18—25, 18·2; 25—33, 34·6; 33—40, 46·8; 40—50, 71·1; all ages, 33·1.

The ratios of death at all ages in this table are much lower than those obtained from other returns, especially in Bengal, where the ordinary rate of mortality has been hitherto higher than in the other presidencies; and the age of the soldiers is not always a correct criterion for estimating their length of residence in the country. A return of the mortality of the civil



servants in India from 1790 to 1836, showing length of service as well as age, gives the following results :—

Years of Age .....	20 to 25	25 to 30	30 to 35	35 to 40	40 to 45	45 to 50	Above 50
Years of Service .....	1 to 5	5 to 10	10 to 15	15 to 20	20 to 25	25 to 30	Above 30
Died annually, per 1,000	19·9	20·8	16·6	23·4	35·4	36·4	48·6
Average Annual Rate of Mortality per 1,000 of Males in England, 1838-54 .....	8·6	9·5	10·6	12·1	14·1	16·9	—

Sir A. Tulloch adds : “ Thus there can be no question that the longer any one stays in India, the more likely is his health to be deteriorated.” It will be observed that in England the rate of mortality increases at each period of age after twenty. The mortality in India also increases with age, and in a much more rapid ratio among the troops than among the civil servants; indeed, the mortality of the latter between ten and fifteen years of service appears to be lower than during the earlier periods of residence. Opposed to these statements are the opinions of those who consider that the experience gained by the old soldier in India constitutes a moral, if not a physical, acclimatization, and that men inured for some years to the climate are less liable to suffer from the exposure incident to field service, or from sickness when otherwise employed, than unseasoned troops. Physician General McLennan thinks a soldier, if a temperate man, may serve well and efficiently in India sixteen to eighteen years, and he would give the fullest possible opportunity to the men of a royal regiment ordered home to transfer their services to regiments which remain. He is further of opinion that there is such a thing as acclimatization, if by that term is meant “ a man becoming fully aware of all that preserves and all that injures health.” Colonel Holland is of opinion that no regiment can be considered thoroughly useful in India until it has become accustomed to the climate by two or three years’ residence. The services in the field of the local European troops and of the Queen’s regiments which have been many years in the country, have also been referred to, in proof that their efficiency has not been impaired by length of residence in India. The pension list of the Indian army affords another ground for believing that the effects of climate have not diminished the expectation of life amongst the pensioners to any extent, otherwise the amount of pensions would not have doubled itself between the years 1830 and 1857, though the force out of which the claims arose remained much the same.

Upon the subject of the influence of climate upon Europeans resident in India, the following passages from the Report of the Select Committee of the House of Commons on Colonization and Settlement in India may be quoted :—“ It appears to your committee that the dangerous effect of the climate of India has been considerably exaggerated. The planters from Lower Bengal, especially in Behar, are described as a ‘ healthy and hearty ’ race of men. Such of them as attended before your committee resembled English farmers rather than residents in a climate far distant and different from their own. Statements tending considerably to modify preconceived opinions as to the dangers of an Indian climate proceeded from settlers in various parts of India.”

Sir John Lawrence thus accounts for the high rate of army mortality :—

"A great deal of the mortality in India no doubt arises from the climate, and from the habits of the European soldiery. The same habits in Europe would not produce the same amount of mortality, or anything like it; therefore it is partly owing to the climate, and partly to their habits and ways of life in a climate which is not congenial to Europeans." Two causes of excessive mortality are here mentioned; but the most influential cause has undoubtedly been the absence of sanitary arrangements, and the choice of stations without regard to the health of the troops. However conflicting opinions may be upon the subject of climatic influences, the fact that a great mortality has usually prevailed amongst the troops on their first arrival in India is admitted on all hands; and this forms a highly important consideration in estimating the probable effects of an extended system of reliefs; for, unless effective measures can be devised for arresting the sickness and mortality observed in newly-arrived regiments of the line, the benefits of that system will be rendered nugatory. It appears from the testimony of military and medical witnesses that the first arrivals are peculiarly subject to outbreaks of cholera; and they suffer from fever, dysentery, and sunstroke, sometimes to a lamentable extent. In eight regiments of the line which had proceeded direct from Great Britain, the average mortality in the first year of residence was 110 per 1,000.

Mr. Martin attributes the losses amongst the newly-arrived troops chiefly to their youth, their exposure to excessive heats, the use of the bad liquors of the bazaars, irregularity of habit of life, disregard to sanitary matters, and "the absence in her Majesty's regiments of certain traditional local experiences possessed by the old soldiers of the Company's European battalions, and which, to a certain extent, shielded the younger men, on their first arrival, from the consequences of their ignorance and recklessness." That measures may be adopted for the removal of some of these unfavourable influences cannot be doubted, but other evils, irremovable by the enforcement of sanitary rules, will remain to produce a large amount of sickness amongst the troops newly arrived in India.

Upon the whole, however, notwithstanding the serious drawback of the high rate of mortality amongst the new comers, I am of opinion that beneficial results may be anticipated from the practice of more frequent reliefs. Financially, the advantages of removing a man from India after a short period of service, and before the break-up of his constitution, would arise chiefly from his being still fit for service elsewhere, and from his being less likely to be thrown at an early age on the pension list. Both these advantages, under existing arrangements, would be mainly felt by the home Government, while the revenues of India would gain by a diminution of invaliding and of the consequent expense of drafts to fill up vacancies. The differences which have been observed in the returns of deaths in favour of the local troops will probably disappear, and the mortality of the line regiments may eventually, by frequent reliefs, combined with the adoption of all practical measures for the protection of fresh arrivals, be greatly reduced. Mr. Martin is, however, of opinion, that greater benefit would be derived from periodically removing regiments from the plains to the mountain ranges than from any system of reliefs involving the return of the troops to England, where for two or three years they suffer much from the coldness of the climate. As the result of the practice of frequent reliefs, I have assumed that the number of men necessary to replace the annual loss by casualties of every kind in the regiments

of the line will be two per cent. below what is required for the local corps. Twelve per cent. for both services has been assumed by Colonel Baker, who declines to admit that a less supply of recruits will be required for a regiment of the line than for a local regiment; but, although that proportion may have been reckoned upon in times past as requisite to keep up both establishments, I think it must follow that the casualties, if not from deaths, at least from invalids and time-expired men returning home, must be less in regiments frequently relieved than in an army in which there is no periodical relief.

#### EAST INDIA SETTLEMENT AND CULTIVATION OF LAND.

*Returns showing to what extent Land is available for Settlement and Cultivation in India.* (Mr. William Ewart). April 27, 1860. (255.)

THE Madras Government communicated the following result of inquiries respecting the extent and nature of the unoccupied cultivable land in the presidency as entered in the public accounts, and which may be assumed to be almost absolutely at the disposal of Government.

The entire extent of land thus found is 13,554,333 acres, with an estimated assessment of 1,63,15,353 rupees, at the average rate on the cultivation; of this, the extent of land which might be classed as "wet," that is, irrigated by natural sources, or within the influence of artificial irrigation, is estimated at 2,017,109 acres, and that of unirrigated at 11,537,224 acres. Most part of this land is scattered over a wide extent of country. There may be, here and there, compact blocks sufficiently large to form convenient holdings or properties; but most of these would be found to be covered with thick jungles, and could not be brought under cultivation without much labour and capital. The exact extent, present actual condition, and productive powers of each of such tracts cannot be satisfactorily ascertained without laborious inquiries; and, after all, the information so obtained would not be definite, and be of very little use to persons desirous of settling in India for agricultural purposes.

The board are aware that much difference of opinion exists as to how far such lands are at the absolute disposal of Government, especially in those districts in which the traditional "Mirasi" is now recognized. This, however, has certainly ceased to be even asserted for years past in many districts in which, according to tradition, it must have existed at one time; and Madras, Chingleput, Tanjore, and Tinnevely, may be named as those in which alone it is now upheld to any extent: although in all districts, to a legitimate extent, the rights of the landholders to enjoy in common, and free of assessment, a certain range of grazing ground, and their preferential right to take up lands beyond this extent applied for by non-residents, is conceded.

"Mirasi," however, undoubtedly had its duties and limits, as well as its privileges; and it may be safely asserted that these last did not include the right to alienate waste without the consent of the Sirkar, or to insist on waste for which they paid nothing, being retained as such until they themselves could provide tenants for it who might be willing to hold under them, notwithstanding offers for the land might be made direct to the Sirkar. The traditional origin of "Mirasi" was to encourage the reclamation of the waste and the extension of cultivation. It is now often pressed into service

as an argument to support the asserted right to restrict the latter and to prevent the former.

Whether particular blocks of waste land shall be held to be absolutely at the disposal of Government for assignment to the first applicant cannot be decided by a general rule, but must be judged by the circumstances of each particular case. Government have already declared the terms on which land at their absolute disposal may be obtained.

On the 5th August, 1859, the Governor in Council at Madras communicated to the Secretary of State for India an order passed by them empowering the owners of house property, and of other landed property, in certain localities, to redeem the land-tax or quit-rent payable by them, and so to require an absolute freehold interest in their land. The operation of this order is detailed in the following proceedings of the Madras Government.

A late despatch from the home Government to the Government of India discussed the policy of permitting the redemption of the land-tax in India, and the creation by that means of absolute freeholds. The objection to such redemption in India has always been felt to be that in this country the land-tax is the main constituent of the public revenue, and not a mere insignificant portion of it, as in England. In the opinion of this Government this objection is decisive, as respects the land revenue generally, and they would deprecate such a sacrifice of the State income; but the objection does not apply to building-land and land occupied by buildings. Such land is limited in total extent, and unimportant as respects the revenue, but at the same time it is very largely distributed throughout the community; and it is a species of property in which security of tenure is peculiarly important, and is recognized to be so in all countries.

With the view of giving house-owners in this country the advantage of an absolute freehold right, the Governor in Council has resolved to sell outright the fee-simple of all land now used or hereafter required and available for building, without any reservation of quit-rent, and with an absolute and indefeasible title.

The operation of this resolution will vary according to the nature of the case. 1st. Land hereafter sought for building purposes, by Europeans or natives, will be put up to auction sale, and sold out and out to the highest bidder, the upset price being twenty times the amount of the yearly quit-rent or tax on the land. 2nd. In the case of land now occupied wholly, or in part, by buildings, and paying quit-rent, or justly liable to it, the owners shall have the option of converting it into freehold, by payment of a sum of money equal to twenty times the yearly quit-rent. 3rd. In the case of land in towns now actually occupied and not liable to quit-rent, and not being inam, or grámanattam, or village site, it shall be open to the holder to convert his holding into an absolute freehold tenure, on application only, and without any payment. The applicant, however, will be required to produce good *prima facie* evidence of title, equal to that arising in the preceding case out of the payment of quit-rent and holding the puttah.

In all the three cases above described, a title-deed will be given on the completion of the transaction, under the seal of the Government, declaring the absolute title of the holder, free of all demands on account of land revenue, and with full power to the holder to alienate the land or dispose of it otherwise at pleasure. It is to be understood, however, that this trans-

action will not affect the liability of the premises to payments for municipal or other local purposes, or for the moturpha, so long as that tax shall continue. It is also to be understood that the title so to be given by Government will be absolute only as against Government. It will be given on *prima facie* evidence of title; but other parties claiming the land will be as free as before to sue the holder in the civil courts.

This order will be held to apply to the contemplated railway towns. The existing arrangements respecting these towns are based on a yearly quit-rent and a small fine on entry. The terms have not yet been taken advantage of in any single instance; they are hereby wholly abrogated, and those above detailed are substituted for them. The other rules and regulations respecting these towns, viz., all excepting those relating to the two points above specified, will still remain in force.

The foregoing paragraphs have reference to land occupied for buildings; but the Governor in Council is further of opinion that in the collectorate of Madras the rules may have a larger application. In this district the land revenue is very limited; the total revenue in it amounts to 15 lacs of rupees, independently of sea customs; but the land revenue, excluding what is called ground-rent, is no more than 68,000 rupees. This small sum is paid by nearly 30,000 persons, and the land is occupied partly by buildings and partly in gardens and rice-fields. Considering the circumstances of this collectorate, the large proportion of the land occupied with buildings, the insignificant amount of the land revenue, and the special importance of valid titles in such a locality, the Governor in Council resolves to make this order applicable to the whole of the tax-paying private land within the collectorate of Madras. The case of the Government land occupied on a monthly ground-rent will be considered separately after further inquiry.

For similar reasons, he resolves to make the order applicable also to the whole of the land on the Neilgherry, the Shervaroy, and Pulney Hills, and to coffee lands in the Wynaud talook. In the last-mentioned case it will generally be the land-tax only that is redeemed, not the proprietors' fee or rent; but where the proprietary right is vested in the Government, he will be prepared to allow the redemption of the rent also.

The foregoing rules contemplate the redemption and extinction of the land-tax; but some holders of tax-paying land, from want of capital or other cause, may be unable or indisposed to redeem the tax. In such cases the Governor in Council will be prepared, with the view of strengthening the tenure, to issue, in place of the yearly puttahs, permanent title-deeds, under the seal of the Government, and resembling in every respect the absolute freehold title-deeds spoken of above, except in reserving the usual tax or quit-rent. In such cases also this qualified freehold will be capable of being at any time converted into an absolute freehold, by the payment of a sum equal to twenty years' tax or quit-rent.

Resolved, that this order be communicated to the Board of Revenue, with the request that they will take the necessary means to make it generally known throughout the districts, and to encourage the holders of land of any of the descriptions specified to take advantage of its provisions.

Resolved also, that they be requested to submit for approval drafts of title-deeds to be issued in the several cases; these should be based on those approved for the inams, with the necessary modifications to suit the different circumstances of the land.

On the 9th February, 1860, the Government of Bombay communicated several papers having reference to an inquiry made by the Government of India relative to the extent and nature of cultivable land at the absolute disposal of Government in the Bombay presidency, and the conditions on which such lands might be properly disposed of to persons desirous of bringing them to cultivation. The papers include answers from the collectors of various districts.

On the question of allowing to European settlers a complete redemption of the land-tax, Mr. R. West said, "It is admitted that the immediate pecuniary result to Government of borrowing money at five per cent., and of selling land at twenty years' purchase of the assessment, is the same. But it is urged that, by the latter process Government sacrifices the prospective resources derivable from the progressive rise in the value of land which takes place under a civilized government. The answer to this is, that the existing (obtainable) price of land, as of every article of value, is always, at any moment, as likely to fall as to rise. All the circumstances which can be foreseen as likely to affect its future value, operate with all the force due to them in fixing the current rate; thus the prospective rise in the value of land would weigh for all it was worth in raising its present price in the market. Government, in addition to the value of the land at its immediate worth, would realize also the value of its prospective rise, so far as human acuteness could estimate that value, and it would, of course, be absurd to assume a future rise which human wisdom cannot foresee. But he who sells both his present and contingent profits at their just value, cannot be considered either a present or prospective loser. If I have succeeded in making this clear, I believe that it disposes of the only argument against the sale of freeholds which has any respectable weight of authority to support it. As regards the general policy of such sales, there can be no question that every freeholder under our rule would be a strenuous supporter of the Government, on the existence of which his own exemption from assessment depended. I will add, too, that freehold or not, the land could never escape its ultimate liability for the necessary expenses of Government. In the shape of income-tax, or excise and customs duties, the profits derived from land would necessarily be taxed to an amount sufficient to cover the expenditure, and in this shape Government must ultimately reap the benefit of those improvements and investments which would go on much more actively under the stimulus of private ownership than is to be expected upon our present system. I would, therefore, advocate the grant of freeholds upon a pretty extensive scale; not that I think that in these districts Europeans would or could invest largely, but that natives would be induced to do so, providing thus for our Government a firm and deep root beneath the surface of native society, while affording to our more wealthy subjects a reservoir for capital which might check that dissipation of it which our present policy combines with the Hindoo law of inheritance to encourage.

"It is to be remarked, that amongst a considerable number of European pensioners who have settled in Belgaum and devoted themselves to industrial pursuits, no wish seems to have made itself felt to engage in agricultural operations. I cannot but consider this a somewhat weighty argument against the encouragement of emigration to this part of the country, for such persons possess, in many instances, the command of some small capital, and are by no means deficient in enterprise and energy. Some of them whom I have

questioned on the subject, inform me that the absolute possession of land would hardly, in this climate, compensate for the toil and exposure required for its cultivation; that the best land has all been taken up, and that the profits of cultivation, in competition with a host of thrifty and industrious ryots, would never amount to so much as could be realized upon the same capital invested in purchasing up the raw produce brought to market. I believe this to be perfectly true, and that this part of the country, at any rate, affords a more favourable field to the trader than to the agriculturist."

The following opinion of Mr. Dickinson, who has farms in the neighbourhood of Joonere, is valuable as that of a practical agriculturist in this country:—

"In reply to the letter of your predecessor of September 28th last (which I should have attended to before, but from my absence in Bombay), I beg leave to say, that from my long residence in the Deccan, and experience as a practical agriculturist, both of exotic as of indigenous products, I hitherto have found it very up-hill work; by the advantage of having spent several years of my early life in active employment in the West Indies, and much carefulness of my health, I have been enabled to persevere in this line of life, and particularly being located in a healthy district. The climate of Bombay Presidency is, perhaps, not so much against the settling of European agriculturists of steady habits, as the difficulty there exists in obtaining land of good or average quality of any extent, say ten or twelve acres, or perhaps half of that, in one place of Government near to a European station. Some few small lots of land reclaimed on a river edge in isolated places in different districts, or a piece of land of an enamdar, may be had on lease or mortgage, where a European would be loath to go and locate for the sake of distance.

"As regards the cultivation of the land, it is a matter of necessity and expedience to abide by and adopt the usages of the country in many respects. The employment of tools, less simple than European, but better adapted for the purposes; the period of setting, sowing, and treating the various crops; the system of irrigation by an aqueduct or well-water, &c. on which so many crops, both cereal and fructual, depend, &c. There is room for a great deal of improvement in every branch which experience indicates. But for a European to settle down on this side of India, with his own tools and his own ideas and knowledge of farming, as in other countries, endeavouring to do much himself, and expecting to be helped in the same way without a previous knowledge of the people he would necessarily employ (the natives) and their language, and without an amount of patience that is rare to be met with, he would meet with certain disappointment.

"The expense attendant on putting land in heart to his satisfaction is very considerable, manure expensive, and to be had only in towns or cities. Sheep keeping is not profitable, for pasturage is unobtainable; horse keeping or rearing, also, for the same reason. For cultivating and producing the more important staple commodities, cotton, flax, sugar, hemp, oil, &c., to any extent, in the first place, land is insufficient for a settlement; machinery of European construction is needed, and when out of order there is too often a difficulty in repairing it, and a European himself cannot do as much as he expects. It certainly is, I am of opinion, more advantageous in speculating in this country in a mercantile way, to expend capital in the

purchase of the raw produce of any description in the districts; there is less to do with many of the natives, for the middlemen manage the contracts and bargains, although in the presence of the principal agent, and there is at all times less exposure to the climate.

"I may be asked, if the latter means are preferable for the outlay of capital, why I did not or do not adopt it. I reply, that having originally no capital, I set up with my limited means as a sugar planter, and by an unusual chance did meet with two tolerable sized farms of the Government that are irrigated by aqueducts, and are both adjacent to large towns; and have since followed the occupation of sugar planter and general farmer, and am not now inclined to break up or relinquish the business.

"Without the least prejudice to the introduction of European settlers on this side of India (for I should be glad to see many located in the districts as I am), still I adhere to the reasons above stated, that the difficulties to be overcome are greater and of a different character to those of other countries, notwithstanding the cheapness in the labour rate and fresh provision, and competition with the ryot, whose wants and comforts are few and unequal."

Although there is a large quantity of land in the aggregate at the absolute disposal of Government, it will be seen that it is generally either of poor quality, overrun with jungle, or dispersed in small patches; and it is my belief that throughout the presidency favourable situations for Europeans to settle as agriculturists will be found to be rare exceptions, rather than the rule.

Mr. Dickinson undertook his farms under favourable circumstances; he had the advantage of previous experience in the West Indies as a planter; he obtained land in a good climate, and excellently situated for irrigation; he, nevertheless, styles it up-hill work, and gives far from an encouraging report as to what may be expected to befall agriculturists coming out without Indian experience.

The collector feared that if encouragement be held out to agriculturists to come to this country, a great amount of disappointment will be the result, be the terms granted ever so easy. The rates of land under the survey assessment are very light; and I think it would not be advisable to do more than give the option of purchasing waste land at a certain number of years; say twenty years' purchase.

The Revenue Commissioner of the Northern Division sent a statement of culturable waste, and he added that the climate in all these collectorates is very indifferent, especially those parts where waste lands abound, and is very unsuitable to the European constitution. The Political Superintendent and Commander on the frontier of Sind communicated as follows:—

"The area of the frontier districts amounts to 2,028 square miles. The nature of the land may be divided into two classes: the low wet land, near the bank of the Indus, a belt varying from six to twelve miles in width, and extending from Mittree, north of Kusmore, to the mouth of the Big-garee, a distance of about sixty miles, mostly annually flooded; and the dry land removed from the bank of the river, inside the above, which is cultivated during the dry season by means of canals bringing water from the Indus. The former is almost entirely used for wheat, barley, vetch, mustard, &c. cultivation, as soon as the waters of the inundation dry up, and reaped in May. In some few places where the land is high, it is cultivated during the summer by means of canals from the river. Cotton



also is grown in these wet lands; planted in January or February, and gathered in about June. Very little labour is required in producing these crops, wheat, barley, &c. As the water dries off the face of the ground, the land is turned up for about four inches in depth by a rude kind of plough, and the seed thrown down. The crop is then left to chance, until, as it begins to ripen, a few watchers are required to keep off the birds. If rain falls in the end of January, or in February, the crops are generally very good; if there is no rain, they are light. It is astonishing what quantities of grain are raised in this simple and inexpensive way. Sometimes you may ride for miles along the banks of the Indus through nothing but standing corn. One year, I recollect, the return was so great in the frontier district and districts on the opposite bank, that wheat was selling in the market at Sukkur at eight annas per maund of 80 lbs., or about ninepence a bushel; means of export were then poor.

"The other land mentioned is cultivated almost entirely by means of canals bringing water from the Indus during the floods between April and October. One of these canals, the principal one, the Biggarree, is about seventy-five miles in length, annually cleared and kept in order by Government. There are three large off-shoots also cleared by Government. Branch canals conducting water from these to the culturable lands are excavated and kept in order by the zemindars. In some few places land is cultivated from rain-water, but not to any large extent. The grains produced are principally jowaree, bajree, teel (seesamum), a small quantity of Indigo, &c. Mustard also is grown if the inundation happens to be a late one. The success of the crops depends on the supply of water being full and regular; this again depends partly on the rise of the river, and partly on the irrigational means adopted. Cotton also is grown; sown in April and May, and gathered in October. If the supply of water is good, this crop generally seems to succeed better than that sown in the cold season.

"The nature of the soil is generally alluvial deposit, brought down by the Indus water, over a stratum of sand, and mostly capable of constant cultivation. Where wells are sunk and fresh water obtained, the land, with the aid of manure, can be annually cultivated. Wheat, tobacco, hemp, sugarcane, vegetables, and fruits, are produced in this way.

"There are considerable patches of earth containing so much salt as to be totally unproductive; but these have, in many instances, yielded to labour, and by a judicious admixture of manure with the soil brought in the water have become as good as any other.

"Saltpetre is obtained in many places throughout the district in the neighbourhood of old towns, where large quantities of decayed animal and vegetable substances are collected. In the track between Kusmore and the Biggarree, near the bank of the river, there is a good deal of forest land. The trees found are the large tamarisk, which furnishes beams of a moderate size for building purposes, but is not of much value, because it is liable to attacks of insects, such as white ants, the carpenter beetle, &c.; an indifferent kind of black-wood, a species of willow and of poplar, and the pellow tree. The babul used not to exist, but during the last few years it has been largely introduced throughout the district.

"With all its advantages of soil, facilities for irrigation, &c., the climate, however, of Upper Sind is such as to render it a very doubtful field for European enterprise. The heat during the summer months is so severe that large sums have to be expended in merely ordinary precautions against

it, and the chances of health failing, when immediate departure or death must follow, are so great, that I would never venture to recommend it as a place of residence, in the hope of profit to any European. But no amount of description of what the climate in India is, or what the difficulties are, will ever convey any idea of the reality to those who have not experienced them; wherefore, I would suggest, that to prevent disappointment, all having a desire to settle in the country should first come and see for themselves.

"With regard to the countries beyond our territory, and to the advantages likely to be derived from development of the resources of those countries by improved trade communication, I imagine I am not called on to report. Should information, however, be required, much of a most valuable nature could be obtained from, and would be gladly furnished, by Major Henry Green, Political Agent at the Court of his Highness the Khan of Kelat."

## EAST INDIAN REVENUE.

*Return showing the gross Amount of the Indian Land Revenue, the Receipts for Tributes, Sayer, Abkerry, &c., Customs, Salt, Opium, and all other sources for the Government of India and for Bengal, Madras, and Bombay; and showing the Charges for Collection, the Rate per Cent. on Receipt, and all other Payments out of the Income, and the net Amount paid into Government Treasuries for each Year from 1st May, 1851, to the latest date. (Mr. Wilson.) 12th August, 1859. (100, Sess. 2.)*

THE land, tributes, sayer, abkarry, &c., revenue was collected in Bengal in 1851-52, at the expense of 8·745 per cent.; in 1857-58 at the expense of 8·075 per cent. In the Eastern settlements in 1851-52 at the rate of 5·698 per cent.; in 1857-58 at the rate of 3·290 per cent. In the district of Coorg in 1851-52 at the rate of 13·651 per cent.; in 1857-58 at the rate of 34·050 per cent. In the territory ceded by the Burmese, including the Pegu, Martaban, and the Tenasserim provinces, in 1851-52, at the rate of 22·434 per cent.; in 1857-58 at the rate of 14·467 per cent. In the Nagpore territory in 1851-52 at the rate of 10·191 per cent.; in 1857-58 at the rate of 9·141 per cent. In the North Western provinces in 1851-52 at the rate of 8·394 per cent.; in 1857-58 at the rate of 7·918 per cent. In the Punjaub territories in 1851-52 at the rate of 12·540 per cent.; in 1857-58 at the rate of 10·682 per cent. In Madras in 1851-52 at the rate of 9·580 per cent.; in 1851-52 at the rate of 9·156 per cent. In Bombay in 1851-52 at the rate of 10·493 per cent.; in 1857-58 at the rate of 10·410 per cent. In Sind in 1851-52 at the rate of 16·277 per cent.; in 1857-58 at the rate of 17·208 per cent. In Sattara in 1851-52 at the rate of 6 per cent.; in 1857-58 at the rate of 8·163 per cent.

The customs revenue was collected in Bengal in 1851-52 at the rate of 4·282 per cent.; in 1857-58 at the rate of 4·322 per cent. In the territory ceded by the Burmese in 1852-53 at the rate of 18·118 per cent.; in 1856-57 at the rate of 13·688 per cent. In the Tenasserim provinces in 1857-58 at the rate of 30·165 per cent. In the North-Western provinces in 1851-52 at the rate of 61·630 per cent.; in 1857-58 at the rate of 46·049 per cent. In Madras in 1851-52 at the rate of 17·652 per cent.; in 1857-58 at the rate of 14·206 per cent. In Bombay in 1851-52 at the

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rate of 12·713 per cent; in 1857-58 at the rate of 7·038 per cent. In Sind in 1851-52 at the rate of 17·183 per cent; in 1857-58 at the rate of 24·639 per cent.

The salt revenue was collected in Bengal in 1851-2 at the rate of 35·796 per cent; in 1857-58 at the rate of 40·031 per cent. In the North-Western Provinces in 1851-52 at the rate of 2·273 per cent; in 1857-58 at the rate of 46·578 per cent. In the Punjaub territory in 1857-58 at the rate of 13·755 per cent. In Madras in 1852-53 at the rate of 12·690 per cent; in 1857-58 at the rate of 19·039 per cent. In Bombay in 1851-52 at the rate of 7·500 per cent; in 1857-58 at the rate of 10·981 per cent.

The opium revenue was collected in Bengal in 1851-52 at the rate of 35·542 per cent; in 1857-58 at the rate of 17·821 per cent. In Bombay in 1851-52 at the rate of 1·018 per cent; in 1857-58 at the rate of ·988 per cent.

The total revenue was collected in Bengal in 1851-52 at the rate of 18·927 per cent; in 1857-58 at the rate of 15·410 per cent. In the Eastern settlements in 1851-52 at the rate of 6·648 per cent; in 1857-8 at the rate of 4·147 per cent. In the district of Coorg in 1851-52 at the rate of 13·651 per cent; in 1857-58 at the rate of 34·050 per cent. In the territory ceded by the Burmese in 1851-52 at the rate of 21·962 per cent; in 1857-58 at the rate of 14·131 per cent. In the Nagpore territory in 1857-58 at the rate of 10·890 per cent. In the Oude territory in 1857-58 at the rate of 10·567 per cent. In the North-Western provinces in 1851-52 at the rate of 10·006 per cent; in 1857-58 at the rate of 9·978 per cent. In the Punjaub territory in 1851-52 at the rate of 12·994 per cent; in 1857-58 at the rate of 11·758 per cent. In Madras in 1851-52 at the rate of 10·919 per cent; in 1857-58 at the rate of 10·880 per cent. In Bombay in 1851-52 at the rate of 8·652 per cent; in 1857-58 at the rate of 7·612 per cent. In Sind in 1851-52 at the rate of 17·677 per cent; in 1857-58 at the rate of 21·468 per cent. In Sattara in 1851-52 at the rate of 6·058 per cent; in 1857-58 at the rate of 7·960 per cent.

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#### GOVERNMENT LOANS, EAST INDIA.

*Return of the Terms, both as regards Interest and Price, on which all Loans raised during the last Ten Years, either in England or India, for the purposes of the Indian Government, have been negotiated. (Lord Robert Cecil.) March 18, 1861. (114.)*

THE loans raised in India were, the Loan of 30th June, 1841, at 5 per cent; of 1st February, 1843, at 4 per cent; of 28th February, 1854, at 3½ per cent; of 30th June, 1854, at 4 per cent; Public Works Loan, 31st March, 1855, at 5 per cent; of 28th February, 1857, at 5 per cent; of 31st May, 1859, at 5½ per cent. In England: Debenture Loan, 1857-58, 4 per cent, price 98*l.* 1*s.* 4*d.*; 1858-59, 4 per cent, price 97*l.* 4*s.* 7*d.*; Debenture Loan, 4 per cent, price 95*l.* 1*s.* 4*d.*; East India Bonds, 4 per cent, price 100*l.* 8*s.* 9*d.*; 1859-60, Debenture Loan, 4 per cent, price 95*l.* 1*s.* 4*d.*; India 5 per cent. Stock, 5 per cent, price 97*l.* 3*s.* 2*d.*; and 1860-61, India 5 per cent. Stock, 5 per cent, price 98*l.* 14*s.* 5*d.*

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## SCIENCE AND ART.

*Seventh Report of the Science and Art Department of the Committee of Council on Education.*

THE Report is arranged under the following heads :—I. Aid afforded to the industrial classes in obtaining instruction in those branches of Science and Art, which have a direct bearing on their occupations.—II. The administration of the South Kensington Museum as the central repository for examples in different branches of Science and Art, which, as far as may be practicable, are made available for the benefit of the United Kingdom, and are circulated to provincial schools.—III. Institutions for the promotion of Science and Art, subject to the superintendence of the department.

**I.—AID AFFORDED TO THE INDUSTRIAL CLASSES IN OBTAINING INSTRUCTION IN THOSE BRANCHES OF SCIENCE AND ART WHICH HAVE A DIRECT BEARING ON THEIR OCCUPATIONS.**

*As respects Science.*—The first examination of teachers under the minute of the 2nd June, 1859, was held in December, and 57 candidates for the certificates of the department presented themselves. These persons came from all parts of the kingdom, and had obtained their knowledge without any direct cost to the State. There were 115 entries, and in the different subjects of examination 65 certificates were obtained. It has been necessary to consider carefully the relations which are likely to grow up between science instruction and elementary instruction, and to take care that teachers engaged in the latter shall not be attracted to become science teachers, to the neglect of elementary instruction. It has also been necessary to insure the fact that the bonuses offered for giving science instruction should not be paid until the results are demonstrated. The system of paying only on results has now been satisfactorily tested for several years in the art division, and we have organized arrangements, by means of which it is hoped that a system of science instruction will grow up among the industrial classes, which shall entail the least possible cost and interference on the part of the State.

*Navigation Schools.*—The minute of the 10th June, 1859, has been applied to these schools during the past year. In 1858 there were 2,554 students in them, who contributed 1,208*l.* in fees. In 1859 the number has been 2,490 students, and the fees 1,239*l.* 19*s.* 10*d.*

*As respects Art.*—In the drawing examinations throughout the United Kingdom, the standard of the prizes has been raised from “good” to “excellent.” Arrangements have been matured for photographing for the use of the schools of art, objects in foreign museums, the British Museum, and those belonging to private collectors. It is only by means of Government action that such photographs could be made at all. If after serving the purposes of the Art schools, the public at large should desire to possess any of these photographs, they will be able to do so, upon paying the cost of them. We have thought it right to abolish the female wood-engraving class; and as the school for female students in Gower-street had become quite an exception to all the other district schools of the metropolis, which have grown up since its establishment on a self-supporting basis, it did not seem justifiable to us that it should continue to depend for its existence on a large annual grant. The conditions upon which moderate grants are made in aid of building schools of art have been settled.

*Normal Training School.*—During the past year 79 students in the Normal Training School at South Kensington have received maintenance allowances, varying from 5s. to 30s. a week, and amounting to 2,762*l.* 12*s.* 3*d.* The number in 1858 was 62, and the allowances amounted to 2,589*l.* 8*s.* 6*d.* The number of students attending the Normal Training School has been 419, and the fees have been 1,307*l.* 16*s.* For 1858 the number was 407, and the fees received 1,046*l.* 16*s.* In the district schools of the metropolis, which are practising schools for masters and mistresses, the number of students has been 890, and the fees have amounted to 2,789*l.* 2*s.* 10*d.* In 1858 the number was 808, and the fees 2,473*l.* 0*s.* 2*d.* The number of poor children in the metropolis taught drawing, by masters and mistresses in training, has been 9,411, while in 1858 it was 9,182. During the year 78 Schools of Art have been in operation. In or in connection with the Provincial Schools of Art, 16,109 students have been taught, and have paid 9,794*l.* 2*s.* 1*d.* in fees. In 1858 the number was 10,784, the fees 8,064*l.* 2*s.* 4*d.* The number of poor children taught drawing in public schools in the provinces has been 57,116, and the fees have been 2,782*l.* 19*s.* 7*d.* In 1858 the number was 40,773, and the fees were 2,783*l.* 2*s.* 5*d.*

The Training Colleges for general education have been examined by the department in drawing for the first time this year; the examinations having hitherto been conducted by her Majesty's inspectors as part of the general Christmas examination. The number examined was 2,783, whilst in 1858 it was 2,530. The total number of persons receiving instruction in drawing, &c., through the agency of the department during the year 1859 has been 84,972, and the fees received have been 15,366*l.* 4*s.* 6*d.* In 1858 the number was 64,714, and fees 13,320*l.* 4*s.* 11½*d.*

*Art Prizes.*—The standard for taking prizes has been raised without difficulty; and on comparing the works of 1859 with those of 1854, there is a very marked advance in all the grades of drawing. The number of prizes awarded has been as follows:—Slate, 1859, 1,282; 1858, 1,056. 1st grade, 1859, 2,822; 1858, 2,805. 2nd grade, 1859, 3,718; 1858, 2,577. Local medals, 1859, 842; 1858, 711. National medallions, 1859, 68; 1858, 74. Book prizes have been substituted for local medals and national medallions in cases in which the student has been more than once successful.

A committee consisting of members of her Majesty's Government have investigated the financial prospects of the department, and the following facts were laid before them as respects the working of the system of art or drawing schools, which was reorganized in 1852.

In 1852-3, twenty-three Schools of Design, with 6,997 students, now re-formed into Schools of Art, cost, without including the expenses of a central training school and a collection of objects of art, a yearly average of 778*l.* per school; and each student learning drawing, imperfectly, cost an average of 2*l.* 11*s.* each. In 1851 the average cost per student was as high as 3*l.* 2*s.* 4*d.* In the year 1858, seventy-eight Schools of Art, including a complete training-school, and extensive art collection and library, with a thorough system of inspection, examinations, and prizes, cost an average of 477*l.* each school, or 384*l.* if the disturbing element of some old schools of design be thrown out; being less than half the average cost of each old school; whilst the 80,000 students cost an average of 9*s.* 3*d.* per student, or about one-seventh of the cost in 1851.

The State aid to a self-supporting school of art, in direct payments averages

about 110*l.* each, whilst each school raises in fees from the students an average of 250*l.* a year. The average amounts paid annually to a local school of art are as follows:—By managers of schools for the poor, 51*l.*; by teachers and pupil teachers of schools of the poor, 10*l.*; by private schools for the middle classes, 51*l.*; by day classes at schools of art, chiefly composed of middle classes, 67*l.*; by evening classes at schools of art, chiefly composed of artisans, 69*l.*; by total average income from students' fees, say, 250*l.*

Aid has been afforded to various institutions for the industrial classes in obtaining examples for science and art instruction.

## II.—SOUTH KENSINGTON MUSEUM.

The trustees and director of the National Gallery have caused the pictures of the British school, until recently deposited, with her Majesty's permission, in Marlborough House, to be transferred into the seven new rooms provisionally prepared for their reception at South Kensington. They may now be seen excellently, both in the daytime and also in the evening. The rooms on the ground floor beneath the picture galleries have furnished temporary accommodation for the library and for the female school. For the latter it was necessary to provide accommodation without delay, in consequence of the dangerous state of the old house in which it was placed. These rooms have consequently afforded only partial relief for the want of space in the Art collections, which urgently demand proper exhibition room.

Mr. Sheepshanks' gift commenced a collection of water-colour paintings representing an art that is especially national. From time to time, as opportunity has offered, additions have been made. Portions of the collections have also been circulated to the provincial Art schools. It is intended during the present year to devote one of the Sheepshanks' rooms to a chronological representation of the art of water-colour painting, and to supply any deficiencies by loans.

Professors Faraday, Hofmann, and Tyndall, associated with Mr. Redgrave, R.A., and Captain Fowke, R.E., have made a minute investigation into the subject of lighting picture-galleries by gas. They report favourably of the process, as being harmless to pictures, and as greatly promoting good ventilation, the absence of which, especially in crowded rooms, is in the highest degree detrimental to pictures.

The additions to the Art collections have been of considerable importance. A portion of the Soulages collection has been purchased; but it is from Italy that the principal specimens have been procured. Among them may be instanced a marble altar-piece of the fifteenth century by Andrea Feruzzi; a marble cantoria from the church of Santa Maria Novella at Florence; a heraldic emblem, nearly eleven feet in diameter, of Della Robbia ware, from Florence; a chimney-piece by Donatello, and other works of a similar class, which are mentioned in the keeper's report. The acquisition of these specimens has enriched the collection to an extent perhaps unequalled in this class of objects by any other European museum.

The system of loans, whereby public taste and instruction is promoted so greatly and so economically, has been most successfully in action during the past year. The university of Oxford, in a generous spirit, has permitted its fine collection of drawings by Raphael and Michael Angelo to be brought from Oxford during the long vacation, exhibited in the museum, and photographed for the use of art schools; other very valuable contributions

have been lent by the Earl of Elgin, Lord Elcho, Messrs. Barker, G. Field, C. D. E. Fortnum, S. Gurney, H. Magniac, M. Uzielli, and others.

Great success has attended the circulation of objects of art among the art schools of the United Kingdom. A travelling collection during the last three years has been sent to 26 places, and visited by 306,987 persons, whilst it has realized to the funds of the Art schools upwards of 6,011*l*. Although the most fragile articles, such as Sèvres porcelain and glass, have been transmitted at least 3,690 miles by railway, &c., and been packed and unpacked 56 times, no specimens have been broken or damaged. Accordingly, we have considered how the system may be extended.

During the year more systematic action has been given to the sale of official photographs, and useful relations have been established between the trustees of the British Museum and the department, in photographing objects in the British Museum and selling impressions at the cost of production. The action of the department in respect of selling photographs is rigidly limited to objects which are not accessible to private photographers, such as those in foreign museums or in national collections, which obviously could not be exposed to risk of private and irresponsible persons.

It has been found necessary to remove heavy specimens of the architectural collections from the upper galleries of the iron museum, which showed symptoms of weakness. This removal has disarranged the architectural collections, and no remedy can be afforded until the increased space has been provided which will be requisite for a National Gallery of Architecture illustrative of all styles and periods. The collection of casts taken from ancient examples for the building of the Palace of Westminster are about to be transferred from the Office of Works, as soon as space to receive them can be found.

The additions which have been made in the educational, animal products, and food collections are detailed in the reports of the keeper. The scientific superintendent of the food and animal products collection has reported upon the nature of the scientific assistance which he has given to them during the year. The collections illustrating building materials contributed by the public are extending beyond the means of accommodation.

The attendance of the public at the South Kensington Museum has increased even over the numbers of the preceding year, when they amounted to 456,288. In 1859 they reached 475,365, of whom 223,590 came in the daytime; on free days, 196,594; on free evenings, 39,498; as students in the daytime, 7,985 on students' evenings; and 7,718 on exceptional evenings.

Courses of lectures have been delivered during the year 1859. It has been the aim of the department to cause these lectures to be addressed to teachers, as far as practicable, in order that the information contained in them may be redistributed; and the general public have been admitted only when there happened to be room in the theatre, and on payment of a higher fee. We have permitted the theatre to be used for the delivery of lectures on subjects cognate to the museum, but such delivery has been at the risk of the special professors.

### III.—AS RESPECTS INSTITUTIONS SUBJECT TO THE SUPERINTENDENCE OF THE DEPARTMENT.

Sir Roderick Murchison, the director of the Geological Survey and Museum of Practical Geology, reported as follows The number of square  
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miles surveyed in Great Britain in 1858 was 2,326; in 1859 it has been 2,120. In Ireland, 1,428. The Museum of Practical Geology was visited in 1858 by 24,877 persons; in 1859 it was visited by 25,309 persons.

The Government School of Mines had, in 1858, 12 matriculated students and 50 occasional students; in 1859 it has had 14 matriculated and 39 occasional students. In the laboratories, the numbers in 1858 were 94 in the chemical and 17 in the metallurgical; in 1859 they have been 128 in the chemical and 18 in the metallurgical.

At the Museum of Irish Industry, the director, Sir R. Kane, reports that the total number of visitors in 1858 was 33,341, and that in 1859 it was 36,657. The chemical laboratory has been attended by 9 morning students and 45 evening students.

It appears from the report from the Royal Dublin Society that the numbers attending the various divisions of the society's house have been 108,273 persons. At the botanic gardens the number in 1858 was 39,853; in 1859 it has been 41,356.

The Royal Zoological Society Gardens, Dublin, was visited in 1858 by 144,542 persons, and in 1859 by 158,282 persons.

The Committee of Lectures, Dublin, reported their proceedings.

The Industrial Museum of Scotland has lost, by death, its able director, Professor G. Wilson, who also held the Professorship of Technology. At the request of the Senatus Academicus of Edinburgh, this professorship has been abolished, and we have accordingly revised the management of the museum, and passed a minute on the subject.

The Museum of Natural History, Edinburgh, which will be removed into the Industrial Museum when the latter is built, was visited in 1858 by 88,831 persons, which in 1859 have slightly decreased to 88,350 persons.

The report is signed by the Earl of Granville, President, and Robert Lowe, M.P., Vice-President.

#### APPENDICES.

##### MINUTE OF THE COMMITTEE OF COUNCIL ON PHOTOGRAPHY AND ELECTROTYPING.

1. In order to bring effectively before the public and afford the full benefit of the extensive reproductions of works of Art in foreign collections and at home by means of photography, electrotyping, and casting, which have been originated at the public expense for the advancement of Art knowledge, it has become necessary to reconsider the present mode of the distribution of them. Experience has shown that such objects of Art cannot be treated in the usual way of trade. The initiative for obtaining, and the first steps in producing them must be taken by the Government, or they could not be obtained. Hitherto the sale has been entrusted to private agency, but the result has not proved satisfactory.

2. The department has generally borne the whole cost of making the negatives of photographs and the safe moulds for casting, whilst the producers have taken the risk of producing and selling the copies, which have not been charged with the cost of negatives or moulds. The department in future will continue to provide the negatives of photographs and safe moulds, but in the case of photographs will execute the printing of the positives. Arrangements for printing being made by the department, similar printing might also be done for other Government departments, if they desired it. The positives will thus be supplied more speedily to the public, and at less cost. In fixing the price of the positives a moderate percentage for the cost of negatives and for the cost of management will be charged upon them.

3. As respects electrotypes and casts, the moulds being provided by the department, they will continue to be produced by the makers; but they may be sold at their risk in the museum. It will be necessary to collect together and publicly exhibit specimens of all the various reproductions.



## NAVIGATION SCHOOLS.

The report of Captain Ryder on Navigation Schools gives the following approximate estimate of the annual drain of the seamen class of all grades, including masters, mates, seamen, apprentices, and boys, of whom the total number is about 180,000 :—

1. The drain in the Royal Navy is estimated at 10 per cent. If this proportion holds good in the Merchant Navy, and I see no reason why it should be less, as there are no retaining inducements, such as a prospective pension, then the drain would be 18,000.

2. The Registrar-general, Captain Brown, has replied to a query on this head, by stating that he has no returns giving any precise information on the subject, but he has every reason for believing that it is not under 15,000.

3. Mr. Finlaison, the eminent actuary, gives at page 396 of the Report and Evidence of the Manning Commission, an all-important table, calculated for another purpose, but from which I deduce that the drain is at least 14,200, but his data are all arranged as the basis for a pension scheme, in which great care is necessary to ensure it being self-supporting, and with regard to which Mr. Finlaison considers that he has given an "extremely moderate computation," formed on a "very low estimate of the probable number of secessions."

Estimate of Drain of Seamen of all grades in merchant Navy, derived from	
known Drain in the Royal Navy	18,000
Approximate Estimate of Drain in Merchant Navy, made by the Registrar-General, Captain Brown	15,000
Mr. Finlaison's calculation	14,200

Approximate Estimate deduced from Mr. Finlaison's Table of Mortality and Secession, but which is probably much lower than the reality ...	3)47,200
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15,700 mean.

## FOOD AND ANIMAL COLLECTIONS.

The superintendent reported—1. On the relation of the Animal and Food Collections to the other Natural History Museums maintained by Her Majesty's Government.—2. On the Collection of Food Products.—3. On the Collection of Animal Products.

1. *On the relation of the Animal and Food Collections at South Kensington to other Museums.*—The great purpose of museums is to collect objects of interest in relation to the Arts and Sciences, or the economy of life, for the purpose of illustrating what is known by man of the external world, and how he has used it or can use it for his civilization and advancement. Such collections very naturally fall under the heads of Art, Educational, and Science Museums, each of which is illustrated at South Kensington. Taking the last form as embracing the part of the museum in which my duties are performed, I would here draw attention to the position which I think the animal and food collections hold in the general plan of a natural history or scientific museum. Such a museum contemplates the collecting objects illustrating the history, nature, and uses of minerals, plants, and animals. The history, nature, and forms of such objects may be well separated for practical purposes from their uses. The study of the forms and properties of minerals, plants, and animals is pursued by the mineralogist, the chemist, the botanist, the zoologist, and the physiologist independent of the uses of these things to man. The exhaustive study of any one of these branches of human knowledge is sufficient for the lifetime of an individual, and as all practical advancement must flow from the knowledge obtained by the investigation of truth, it is of the utmost importance that great natural history collections, such as those at the British Museum, should be maintained. From such a collection, however, there ought to be selected two groups of objects for educational purposes. These should be, first, the education of the young in the principal forms of minerals, plants, and animals, and their distribution, without the bewilderment of an exhaustive collection; second, the exhibition of those mineral, vegetable, and animal substances that are used by man to supply his artificial or natural wants. But few attempts have been as yet made at realizing an educational or typical museum of natural objects, although parts of a general plan are well illustrated in the General Educational Museum at South Kensington. The second kind of museum, to which the terms *Trade*, *Economic*, and *Technological* have been applied, has been successfully established by the Government of this country. The School of Mines in Jermyn Street possesses a fine series of examples of the application of mineral products to the arts of life. At the Royal Botanic Gardens at Kew a museum of the same kind exists, having for its object the exhibition of vegetable products used in the arts of life. In Dublin and Edinburgh also Economic Museums have been established. The foundation of the Museum of Animal Products at South Kensington was laid by the Royal Commissioners of the Exhibition of 1851, with the objects of supplementing the other two great national collections in Jermyn Street and at Kew, and of exhibiting the economical applications and uses of substances produced by the animal kingdom. This collection must, therefore, be regarded as part of a great arrangement for exhibiting the relations of the mineral, vegetable, and animal kingdoms to the industry of man.

There is, however, another set of objects of deep interest to man, by the study of which he may learn to economize the forces by which he lives, and secure a higher development for his natural existence. The material nature of man has wants in common with the animal world, and these wants are most largely met by the supply of those substances which we call food. Hence a food museum forms a most proper and necessary accompaniment of the economic museum. Although the food collections were not, perhaps, at first regarded from this point of view, there can be no doubt that on this ground they ought to be maintained, and are calculated to afford a large amount of valuable information of the deepest interest to all classes of the community. As likely to furnish much useful knowledge to the less opulent classes of society, a food museum was first suggested by Mr. T. Twining, junior, as part of an economic museum for illustrations of every-day life. This idea has been acted upon by Dr. Lyon Playfair, who, with his great chemical knowledge and philosophical insight, at once perceived how the advanced views of modern chemistry with regard to the subject of diet might be made available for the instructive exhibition of substances daily used as food by man. Under his active superintendence the Food Museum assumed its present form, and my duty since his retirement from the museum has been to carry out the plan which he had laid down, and had in so many points successfully illustrated.

2. *The Food Collection.*—On undertaking the superintendence of the food collection, I found it arranged according to an artificial plan, and not having any reference to the action of food on the system. As, however, the specimens exhibited, and the analyses put up by Dr. Playfair, were sufficiently extensive to permit of a classification, indicating the physiological action of food, I suggested the re-arrangement of the whole museum, which has been very successfully done, under the direction of the keeper of the museum, Mr. R. A. Thompson. One of the distinguishing features of this museum is the presentation to the eye of the chemical composition of the various kinds of food. When placed under my superintendence, analyses of the most important articles of vegetable food had already been exhibited. There was, however, a considerable number of ordinary forms of food from the vegetable kingdom of which analyses were not exhibited. Some of these, as of carrots, turnips, parsnips, cocoa, sweet potatoes, and others, have been added. These analyses have been constructed upon the experiments made by a variety of chemists, and I am only answerable for the calculations upon which the various component parts of a pound of the article of diet have been made.

Attached to each article of food exhibited is a label embracing a general history of it, including the species of plant which yields it, the countries in which it is cultivated, the ordinary consumption in various parts of the world, the trade it produces, and other particulars of various kinds. In addition to the labels written by Dr. Playfair, I have done those which are now attached to the following things exhibited in the museum:—Wheat, sugar, starch, milk, flesh used as food, water, test for the purity of water, carrots, turnips, parsnips, sea-weeds, cocoa, Chinese sugar-cane, chemical compositions of various foods, distilled spirits.

As the ultimate action of food is the supply to the body of the materials of which it is naturally composed, it seemed desirable, as far as possible, to represent the ultimate and proximate composition of the human body, and this has been done by taking the chemical analyses of the various tissues, and after finding the proportions in which they exist in a body of given weight, presenting the elements and compounds they contain to the eye. The ultimate elements and proximate compounds in a human being weighing 154 pounds are thus exhibited. As water enters so largely into the composition of the human body and all articles of food, a series of specimens has been exhibited, with the view of indicating its natural composition, the sources of its impurity, and the tests which can be most readily used for detecting the latter. The subject of purifying water has also been illustrated by the exhibition of filters of various kinds, and other means of rendering it fit for human consumption.

Beer, wines, and spirits being so largely consumed as articles of diet, I have thought it of importance to represent to the eye the exact composition of these extensively used beverages. I have accordingly prepared a series of analyses, drawn up from the experiments of Mulder, Jones, and others, and the exact composition of an imperial pint of twenty ounces of this class of substances has been exhibited in the museum.

The labours of Dr. Playfair had been principally confined to the development of the varieties and composition of vegetable food. During the past year considerable progress has been made in carrying out the same plans with regard to animal food. I have calculated analyses from the experiments of Messrs. Lawes and Gilbert for several kinds of animal food, including beef, mutton, veal, lamb, and pork, and the composition of these prime articles of diet are now presented to the eye. The composition of various kinds of milk are also exhibited in the same way. The limited space at my command has prevented a more full development of this department, but typical specimens of the various kinds of animals eaten by man are exhibited, including various forms of mollusca and crustacea, fish, reptiles, birds, and mammalia. Where it was thought desirable to exhibit forms of food that could not be well preserved, wax models have been employed. Such models have been found very useful in affording a means of distinguishing between proper kinds of food and those which are often fraudulently substituted. The subject of the adulteration of food having been recently so prominently brought before the public, it seemed a very proper thing to illustrate in a collection of food, and a large series of articles used in the adulteration of food with appropriate labels, have been exhibited.

As it is impossible to exhibit plants and animals in many cases so as to give an idea of their true structure, recourse has been had to diagrams. In addition to those exhibited previous to my superintendence, a large number of new ones have been added, and this department of instruction will still bear very considerable development.

The microscope at the present day is an instrument of so much value in detecting the real nature of vegetable and animal structures, that it seemed most desirable to secure to the public the means of using it in our museums. The difficulty of employing it at first arose out of the delicacy of the instrument, as it would be likely to suffer in the hands of careless and uninstructed persons. At my suggestion Mr. Ladd constructed two instruments, so as to avoid the chance of injury, and they have been worked so successfully in the Food Collection, as to induce me to recommend a further introduction of these instruments into the Animal and Food Collections of the museum, for the purpose of affording a wider opportunity to the public for this interesting kind of investigation.

It will be very desirable to have published a catalogue with reference to every article in the Food Collection, and already each specimen exhibited is registered. At present, however, the museum is in too rapid a state of development to render a catalogue serviceable. In order to meet the wants of the public for some kind of reference, I was requested by the Committee of Council on Education to draw up a "Guide to the Food Museum." This was accordingly done, and the assistance afforded by the "Guide" was so readily appreciated by the public, that a second edition of 1,000 copies has been required. The "Guide" is not only a general account of the museum, but contains all the labels drawn up by Dr. Playfair and myself, and attached to the various substances exhibited.

The great advantage of oral instruction, where specimens, diagrams, and experiments can be presented to the eye, having been recognized by the Committee of Council on Education, I have been requested to deliver three lectures on subjects connected with the Food Collection, in the educational courses delivered in the lecture theatre. I have also, by permission of the Committee of Council, delivered one course of six lectures, and am now delivering another course of the same extent, on the subject of food. These have been given at my own risk, my remuneration arising from the entrance fees. The attendance on these lectures has been very encouraging. A large proportion of the audience has consisted of pupil-teachers from the various training schools in the metropolis. They have been also attended by the young men educating as cooks for the army, and by many others professionally engaged in the preparation of food. The amount of good that may be thus effected I believe to be very large, as one of the great predisposing causes of disease and death in the community is that state of the system which is brought on by improper food, or food improperly cooked. A great economy in the consumption of food can also be effected where persons are capable of distinguishing its various properties and adaptations to various ages and conditions of life.

Compared with what has been done, much remains to be accomplished. The animal food department demands a fuller development, and larger space is required for this. Analyses, however, will be presented to the eye of all the more common forms of animal food. The exhibition of such specimens would be greatly facilitated if means existed on the premises for their manufacture, and a laboratory for the preparation, cleansing, and renewing the various articles of the food department is much needed. It is very desirable also that food collections should be made from the various countries of Europe, in order that the comparative merits of different modes of preparing food may be exhibited. During the past year two very interesting collections of food from China have been obtained through the late governor of Hong Kong, Sir J. Bowring, and from the interest and value commercially of these collections, there can be no doubt that collections of food from other parts of the world would be found equally valuable and interesting. If Her Majesty's consuls in various parts of the world would bear this in mind, they would, by forwarding such collections to the museum, assist in developing a most useful public work.

Further developments of the Food Museum, on the principles on which it has been established, may be seen in its extension to the illustration of the food of the lower animals reared by man and the food of plants. Such a collection of objects might be rendered of the highest service to the agriculturist, and become the means of diffusing much knowledge of the principles of agriculture. Already, in as far as the food of man and the food of the lower animals are common, agricultural writers have made use of the facts presented by the analyses and labels of the Food Museum.

3. *The Animal Product Collection.*—The comparatively undeveloped condition of the food collection has led me to devote my attention chiefly to that part of the museum. A catalogue of the animal product collection had already been published under the superintendence of Dr. Playfair. A new edition of this catalogue has just passed through my hands. I have not ventured to disturb its arrangement, and have only here and there added a few remarks. In many of its departments this museum will bear further development, and I am now in correspondence more particularly with manufacturers of cloth and silk, about further additions. Each day as the manufacturer apprehends more clearly the application of scientific principles to his art, new products arise; and it is only by constant attention that such a museum can be made at once a representative of the past history and present state of the arts it illustrates. For the proper development of such a museum, so as to realize all the

public benefit of which it is susceptible, larger space is required. Many valuable articles are now almost hidden from view by want of room. As new specimens accumulate old ones are removed to less conspicuous places, but it ought never to be forgotten that the progress of science and industry is better chronicled by these exhibited specimens than by any written descriptions. To this department of our museum I would especially invite the attention of that great class of manufacturers in our country who are engaged in the production of the commodities of life from animal substances, requesting for their own sakes, and for the sake of the advancement of the industrial interests of the country, that they will assist in carrying out the great objects of this collection, by contributing specimens of the processes and goods which they manufacture. There is no more worthy object of national pride and ambition than the scientific exhibition of the materials and products of that industry on which the physical greatness of our nation depends.

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#### MILITARY EDUCATION.

##### *Report of the Council of Military Education.*

THE Council of Military Education has the honour to submit, for the information of the Right Honourable the Secretary of State for War, the following report of its proceedings up to the close of the last financial year, being its first annual report. The Council was officially appointed on the 1st June, 1857, and was then composed of three officers only, exclusive of the Commander-in-Chief, who is *ex officio* its president; namely, a major-general, who then commanded a brigade; a colonel of Engineers, formerly for five years inspector of the Royal Military Academy, Woolwich; and a lieutenant-colonel, then on the staff. So long as the Council had only to discuss the principles on which military education should be conducted, and lay down the general rules by which its operations were to be guided, it was thought that the number of its members might conveniently be limited to three, which number would require to be augmented whenever the duties of the Council should include the examination of candidates for admission to the Royal Military Academy, Woolwich, and the superintendence of their professional education while there. This augmentation was carried into effect on the 8th June, 1858, when two new members were added, namely, a colonel of Artillery, then inspector of the Royal Military Academy, Woolwich, and the Rev. Canon Mosely, F.R.S., who had been charged with the superintendence of the competitive examinations for admission to the Royal Military Academy, Woolwich, from their commencement.

The first instructions to the Council were conveyed in the following memorandum from the Commander-in-Chief, which defined the more immediate subjects for consideration:—

“ *Horse Guards, 22nd April, 1857.*

“ The members of the Council of Military Education should in the first instance direct their attention to the proper organization of the present senior department at Sandhurst, the numbers of which should be doubled, and the name which should be changed to that of Staff College, to be presided over by a commandant who should be directly responsible to the Council of Education, and with a proper staff of professors, to be appointed with as little delay as possible. They should at the same time revise the whole system of examination for direct appointments to the army, which is at present very defective, and establish a proper standard which must be attained by every candidate before he can be admitted into the service.

“After having accomplished these two objects, they should direct their attention to the junior department at Sandhurst, make the necessary proposals for converting the school as at present established into a college, the age of admission to range between sixteen and eighteen; and should further suggest the mode in which the Royal Military Academy at Woolwich is to be amalgamated with the new college at Sandhurst, the manner in which youths are to be admitted to Sandhurst, and how they are to be passed out of it, by examination, to the practical classes at Chatham and Woolwich, the former for the Engineers, the latter for the Artillery. They must then consider the question as to the professional examination of officers for promotion up to the rank of captain, that of the establishment of instructors at the larger stations, and the manner of conducting the examinations for the general staff of the army, not confining their observations to the subjects named in this Memorandum, but extending their remarks to all and every question connected with the education of the army generally.”

Of these subjects the Council of Military Education was subsequently requested to take first into consideration the examinations for direct commissions. These examinations, as a test of the education of candidates for military service, were first established by his Grace the Duke of Wellington in 1849. They were continued by Lord Hardinge when commander-in-chief, and were in operation at the time of the appointment of a Council of Military Education.

The subjects of examination were detailed in a memorandum sent to the parents or friends of all candidates for admission, and were in substance as follows :—

Arithmetic, including the use of logarithms. Algebra.—Addition, subtraction, multiplication, and division of both integers and fractions. Latin.—Livy (Books 21 to 25), Virgil's *Æneid* (Books 1 to 3 inclusive), Parsing and Prosody. History.—Chepmell's Abridgment of the Histories of Greece, Rome, and England; Keightley's England and Outlines of History, Parts 2 and 3. Geography.—The general divisions of the world, and the name of the capital of each nation in Europe; the principal rivers, seaports, and military posts in Great Britain; her Majesty's dominions in every part of the world. Fortification.—Candidate to construct and draw a front of Vauban's First System, which, if done correctly, was also considered a proof of his having acquired a sufficient knowledge of drawing. French or German.—In lieu of Latin, the candidate was allowed to translate, from the language selected, into English, and *vice versâ* from English into that language, together with parsing. The books to be used in French were Vertot's *Revolutions of Sweden and Portugal*; in German, Schiller's *Revolt of the Netherlands*; in English, Lord Dover's *Lives of Sovereigns*.

In this scheme of examination it will be observed that the subjects required to be taken up by the candidates were numerous, and as a failure in any one was deemed a disqualification, the inevitable result was that the required qualification in each branch of study was from time to time lowered; and the examination as a whole, when thus relaxed, could no longer be considered as a fair measure of the education given at any of our great public schools; whilst the introduction of fortification as a subject of examination, limited as it was to the mere drawing of a front of

Vauban's First System, was calculated to deceive by a fictitious appearance of professional knowledge, whereas it was no more than an imperfect test of the skill of the candidate in line drawing.

In entering on the consideration of a new scheme, the Council, being fully convinced of the soundness of the principle which would base the examinations both of aspirants for direct commissions, and of candidates for admission to the military colleges, on the general education of the country, at once resolved to drop fortification as a subject of examination, it being evident that any attempt to force a subject so purely professional upon ordinary school instruction could only lead to the result already noticed, and in very few, if any, cases be likely to promote a scientific, and still less a practical, knowledge of the subject.

All other subjects, including mathematical subjects, which may be reasonably required from a candidate for the military profession, are either already included in the ordinary course of school instruction, or at least it is generally considered that they ought to be. But as even the lower mathematics have been much neglected in many schools, whilst they are highly valuable to a military man, both as regards the performance of his ordinary regimental duties, and as aiding his subsequent acquisition of professional knowledge, the Council took the precaution of addressing, with the sanction of his Royal Highness the General Commanding-in-Chief, and Secretary of State for War, a circular inquiry to the head masters of some of the principal schools, with the view of ascertaining what amount of mathematics could be introduced into the instruction of such schools without interfering with their ordinary course of education, and also the ordinary extent of classical or other knowledge acquired by lads of seventeen.

With the aid of the information thus obtained as a basis, the Council framed the scheme of examination detailed in its first memorandum, which, having been examined by the Commander-in-Chief and Secretary of State, was submitted to and received the sanction of her Majesty.

With the view, however, of rendering the old scheme of examination as efficient, and of obtaining from it as much good, as possible—the new scheme not coming into operation before January, 1858—the Council visited Sandhurst, and, by personal attendance at an examination, satisfied itself that much might be gained by the mere removal of the examinations from the crowded board-room of the Royal Military College to London, and by the adoption of printed examination papers. A recommendation to this effect was, therefore, made by the Council, and being approved, the examinations of October, November, and December (1857) were held at Burlington House, under the superintendence of the Council of Military Education, and may be considered as initiatory to the future examinations on an improved system. The following were the results:—October, 13 passed; 15 failed. November, 24 passed; 28 failed. December, 58 passed; 49 failed.

The comparatively large number of failures was sufficient so show that a qualification in a great number of subjects, unless rated so low in each as to be nearly worthless, cannot be generally obtained; and it has demonstrated the more practicable character of the modified scheme proposed by the Council, which came into operation at Burlington House on the 1st, 2nd, and 3rd of February, 1858. To meet the exigencies of the service consequent on the Indian mutiny, examinations were required to be held in the months of April, June, July, September,

and December, instead of once only in each quarter, as had originally been, for very sufficient reasons, proposed and sanctioned. In order, also, to allow sufficient time to the candidates to do their work without hurry, and in consequence of the increased number of voluntary subjects, it was found expedient to extend the examination from three to five days, which have hitherto proved sufficient.

The results of the first three examinations were as follow:—February, 50 passed; 25 failed. April, 73 passed; 50 failed. June, 50 passed; 27 failed. Total in 1858, 173 passed; 102 failed: results which, compared with the preceding, are sufficient to show that the requirements of examinations were not actually so severe as those of the old Sandhurst system, when thoroughly carried out. This was partly due to an alteration made in the original proposed system, by which it was determined that instead of four books of Euclid only three should be required, and that 600 marks should be the qualifying minimum in mathematics instead of 900. These alterations were introduced for the reasons stated in the above-cited memorandum, and are proved by the results to have been effectual. The Indian mutiny had, however, occasioned a great and sudden demand for officers, and it now became necessary to endeavour still further to diminish the number of failures, though the Council felt by no means satisfied that a reduction of the requirements would permanently have this effect, as it too generally happens that the less required the less exertion is made to secure it. It was therefore recommended, in the Memorandum of July 2nd, 1858, that the only obligatory subjects should be elementary mathematics and English, that the minimum of mathematics should be reduced to 400, and that the required general total of 2,400 marks should be reduced to 1,800; but the Council at the same time considered it necessary to require a minimum of 200 marks in arithmetic, as well as the minimum of 400 in the whole obligatory section of mathematics, a thorough knowledge of arithmetic being an indispensable qualification for a regimental officer.

The subsequent examinations were conducted in conformity with this recommendation; and the advantage to be gained by the change was extended to those who, although they failed in preceding examinations, would have passed had the provisions of this memorandum been then in force; the number thus specially admitted were 36. The following were the results of the three succeeding examinations:—July, 98 passed, 30 failed; September, 121 passed, 21 failed; December, 78 passed, 26 failed. Total, 297 passed, 77 failed. In the first three examinations the number passed was to the number who failed as 173 to 102, or 1·7 to 1; and in the three last as 297 to 77, or as 3·9 to 1; the comparison for the whole year being, passed, 470, failed, 179, the proportion being 2·6 to 1.

It must not, however, be supposed that all those who thus appear to have failed were finally unsuccessful, since, availing themselves of the privilege of coming up for a second trial (a privilege which has been still further extended to any number of trials whilst within the limits of age), 43 came up within the year 1858 for the second trial upon the new system, of whom 34 passed and 9 failed; the total number of persons rejected must be, therefore, reduced by that number, viz.,  $179 - 34 = 145$ , and this reduced number must be still further diminished by the 34 admitted under the provisions of the memorandum before noticed as having a retrospective effect, so that the numbers should stand thus—

Passed,  $470 + 36 = 506$ ; failed,  $145 - 36 = 109$ ; and this again by the number (9) who failed on the second trial, having been already noted as failures, leaving 100 persons rejected.

The temporary advantage gained by the reduction in the amount of some of the requirements of the examinations seemed then to have nearly exhausted itself, a result which the Council had previously anticipated, and the number of failures in the next examination, in February, 1859, was found to equal that of the earlier examinations. It is, however, to be hoped that the proof thus afforded that success is not a matter of certainty even on the lowered standard of examination, will correct the evil, by leading candidates to take more trouble in preparing themselves.

February, 1859.—64 passed, and 38 failed. Of those who passed 11 had come up on a second trial, and they must, therefore, be deducted from the failures of the preceding year; hence the actual number of failures of the year 1858 was now reduced to 89.\* Failure in mathematics or in English (the obligatory subjects) has been accompanied in a considerable number of cases by a failure in other subjects not obligatory, and by a consequent failure in the general total, and hence rejection was due not merely to insufficient instruction in mathematics, but also to the want of a liberal education, properly so called. It will be also observed that from  $\frac{1}{4}$  to  $\frac{1}{3}$  (or even a somewhat higher proportion) of those who failed in obtaining general total of marks were not disqualified either in mathematics or English, though they had obtained too small a number of marks in those subjects to counterbalance their failure in the other subjects, thus exhibiting a low degree of acquirement in general education.

By giving the number both of successful and unsuccessful candidates in every subject, the obligatory section of mathematics was by no means a severer test of education: as applied to the candidates for direct commissions, than the subjects on which most attention is usually bestowed at the great public schools. In fact, it appears from that table that the number of those who succeeded in obtaining the minimum in classics as compared to the number of those who failed (taking into account all the examinations of the year) was in the proportion of nearly 1·6 to 1 in Latin and ·9 to 1 in Greek, whereas the number of successful candidates in mathematics was to that of the unsuccessful as high as 5·25 to 1.

From this comparison it may be fairly deduced that were Latin and Greek made the obligatory subjects in lieu of mathematics, the proportion of failures would be much greater than at present, whilst the practical advantages to be expected from a reasonable knowledge of mathematics, more especially of arithmetic, would be lost.

From the results of these examinations as exhibited in the tabular view, it cannot, in the opinion of the Council, be fairly said that anything too severe, anything either unnecessary or beyond the reach of gentlemen of very moderate talents, has been required; and as candidates are now allowed to come up for any number of examinations whilst within the limits of age, it may be further stated that no candidates need be rejected who are possessed of reasonable ability and are disposed to devote to their preparation a moderate amount of application; whilst the Council would not be

\* This number was further reduced in the April examination, when 13 more of those who had failed in the previous year came up and passed, so that the total becomes  $89 - 13 = 76$ . That examination also justifies the hope above expressed, as out of 140 examined 119 passed, and only 21 failed.



justified in recommending for her Majesty's service candidates unfitted, by want of intelligence or industry, for any other profession.

Having thus provided a sufficient test of the qualification, in an educational point of view, of candidates for the military profession, the next object of the Council was to suggest some system for supplying the deficiencies of ordinary education by a supplementary course of instruction in professional subjects. The first scheme suggested is explained in Part II. of the Council's Reports, dated July 8th, 1857.

In consideration of the difficulties which would attend the establishment of instructors either at the head-quarters of districts and commands or in connection with regiments, and still more of attempting to carry on any systematic professional instruction with an independent body of instructors scattered over so wide a space as that occupied by the British army, the Council proposed to combine in instruction in the principles and details of the most essential professional subjects with the ordinary training in regimental tactics and duties, to which every officer on first joining is necessarily subjected. The several branches of instruction under each of these heads are detailed in the Report. It is manifest that such a combined system would have gained the desired object with the least expenditure of time, but to render it efficient the Council considered it necessary to recommend that officers should in the first instance be appointed provisional ensigns only, and that their rank should be confirmed when they had been reported perfect in their regimental and general professional instruction. Such an arrangement would have made it the interest of every professional ensign to exert himself in order to pass through the course of instruction and training as quickly as possible. Unfortunately, however, the great demand for officers consequent upon the Indian mutiny rendered it impossible, in the opinion of the authorities, to carry into effect this measure at that time, as in many instances young officers were sent out to their regiments in India only a few weeks after they had first joined their depôts; and the only mode of meeting this difficulty, viz., by an addition of two or even three ensigns to each battalion, was considered too expensive to be entertained.

Now, however, that it may be presumed the extraordinary demand for officers in India has ceased, and that officers will probably be at least one year at their depôts before they are sent out to join the head-quarters of their regiments, the preceding or some equally efficacious measure for ensuring to every officer a sound course of elementary professional instruction, in addition to a careful regimental training, again demands very serious consideration.

The value of such instruction can hardly be over-estimated, as there cannot be a doubt, that whilst advancing the professional acquirements of the great body of officers, it would be the means of inducing many to carry on their study of military science during their subsequent service who are now deterred from making the attempt to do so by a want of acquaintance with its elementary principles. Indeed, until some such system shall have been adopted, it cannot be said that any provision has been made for the professional education of those officers who have not passed through the Military College, or, in fact, of the great majority of the officers of the army.

#### STAFF COLLEGE.

The Council, in the first two parts of the official report, and in the subsequent supplementary memoranda of November 18th and November 25th,

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1857, endeavoured to lay the foundation of a system which should at once provide for the general as well as for the professional education of the officers of the army; at the same time, it did not overlook the other great question of the preparation of officers for the staff. This question was, in fact, under consideration simultaneously with the preceding, which, indeed, in addition to their own special advantages, ought to be viewed as the first steps towards it; since it is evident that the selection of well-educated officers for the staff will be more effective in proportion as the officers of the army (at large) are more highly trained and more perfectly instructed in professional subjects.

Part III. of the Report contains the result of the Council's deliberation on this most important subject, namely the organization of a Staff College. At the time when the Council entered on the consideration of the best mode of training officers for staff employments, the Royal Military College, Sandhurst, consisted of two departments; a junior, composed of cadets; and a senior, of officers who had been several years in the service. It was probably anticipated, when the senior department was first formed, that cadets who had distinguished themselves in their studies at the junior college would, after some years of active service, join the senior department, in order to continue their studies there, and that the result would be the gradual elevation of the character of British staff officers as scientific soldiers.

At the first establishment of the senior department it was not located with the junior department, but was in every respect distinct as regards position, government, and instruction, and it is believed that the early records of the senior department are sufficient to prove that in many instances the result anticipated was actually obtained, and that some of the most distinguished staff officers of the Peninsular war had been students of that department. Since then the two departments have been brought into intimate connection under one roof, and gradually under the same military authority.

Laterly, the means of instruction having been much diminished, whilst an opinion had grown up that the senior department was not a certain channel of introduction to the staff, the number of students decreased, and the expectation of good results from the establishment was greatly diminished.

The adoption of the name "Staff College" in lieu of that senior department, prescribed by the original memorandum of his Royal Highness the General Commanding in Chief, and embodied in the recommendation of the Council, was, therefore, in itself a most important step, as it recognized the real object of the institution, and, when coupled with the provisions of the second paragraph of clause 22 of the Council's Report, Part III., left no room for doubt on the mind of any officer who should obtain admission to the Staff College that by perfecting himself in the course of studies and professional training pursued in that establishment, and passing with credit through his term of residence, he would secure for himself a staff appointment; no other channel for admission to the staff being left open after the 1st of January, 1860, excepting in the case of officers either of the rank of lieutenant-colonel at that particular date, or who had proved in the field their fitness for staff appointments.

These exceptions were manifestly necessary in order that the new rule should not act injuriously on officers who had previously risen to high rank,  
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or who had distinguished themselves on active service; but, as the first of them is limited to those officers who shall have actually attained the rank of lieutenant-colonel on the 1st of January, 1860, it is evident that by the time the college may be expected to supply a sufficient number of staff officers, the number then annually appointed to the staff under this provision will be very small. The exception in favour of ability for staff appointment proved in the field, must be permanent, but cannot be said to interfere with the prospects or expectations of the students of the Staff College.

The 3rd clause of the memorandum opens the Staff College to officers of all arms of the service, under certain necessary conditions, the admission being by competitive examination; so that it may fairly be said that staff appointments, which, as a mark of distinction, have always been coveted by officers of the army, just as much as the higher offices of the law and other civil professions are by the members of those professions, are placed within the reach of all officers possessed at once of ability and of zeal sufficient to induce them to make the exertions necessary to secure the prize they wish to obtain.

It will be observed that the course of study has been arranged with the view solely to the beneficial results which the application of certain sciences to military objects is calculated to secure, whilst, at the same time, ample scope has been afforded for the development of a higher and more special order of talent, and a mode of applying it usefully to the public service suggested in clause 23, namely, by the employment, either in the topographical department or in the national survey, of officers who have exhibited superior talents. The Council is indeed gratified to be able to state that one officer, Captain Petrie, who originally belonged to the senior department, and was allowed, with others, on the alteration of the system, to finish his studies by continuing one year at the Staff College, has already been appointed to the topographical department.

The results of the two admission examinations which have been already held for the Staff College are given in the Appendix, page 86-8; and though the competition was not in either case great, the Council cannot doubt that when the officers of the army have become more fully acquainted with the system, and more convinced that success at the College is certain to lead to staff appointment, competition for admission will be much more general.

In regard to the course of studies and the general management of the College, the Council does not see any reason, from the experience of one year, to propose any change or modification of importance, reserving any such considerations until after the completion of the biennial term of residence, when the final examination will supply more adequate data for forming a correct judgment.

The recommendations embodied in the report of the Council, which has been thus passed in review, having received the approval of her Majesty, a system which appears quite sufficient to secure hereafter for the army a body of staff officers of high excellence, is now the rule of the service; but as some time must elapse before the results of that system can be expected to ensure a sufficient supply of staff officers, the previous order of his Royal Highness the General Commanding in Chief relative to officers' qualifications for staff appointments has necessarily continued in force, and must still continue so for some time to come. The examinations founded upon

that order have been conducted by the Council of Military Education in conformity with the recommendation of clause 22 of the memorandum.

Under this arrangement the Council has examined 26 officers, namely:— For the appointment of Deputy-Assistant Adjutant-General, 3; for that of Brigade-Major, 10; for that of Aide-de-Camp, 13. These examinations strongly confirmed the Council in the belief that not only was such an institution as the Staff College one of paramount necessity, but that it was also desirable to facilitate the acquisition by those officers who are for the present allowed to come forward for examination by the Council as candidates for staff appointments, of a more perfect knowledge of military and regimental subjects. One cause of the imperfect preparation of officers for the very moderate examinations to which they were subjected was, in the opinion of the Council, the want of some sufficient explanation of the subjects of examination; and, in consequence, the Council drew the attention of his Royal Highness the General Commanding in Chief to the subject, when his Royal Highness at once issued the more definite general order. Neither the order promulgating an improved system of examination for promotion, nor that which has more fully defined the nature of the examinations for staff appointments, has been sufficiently long in operation to have produced any material effect; and the Council is not, therefore, surprised that the officers who have been subsequently examined for staff appointments have not exhibited any marked advance in acquirements above those examined before the issue of those orders.

The result, however, may be considered confirmatory of the opinion before expressed, that a highly instructed and efficient staff cannot be obtained without either the intervention of the Staff College, or the introduction of some subsidiary system of instruction for the officers, calculated to meet the present necessities of the service.

The Council also thinks it right to add that, inasmuch as several of the subjects embraced by these examinations are almost entirely regimental, or such as are included in the examinations for promotion, and do not form part of the studies of the Staff College, it is of the utmost importance, even as respects the success of that college, that the examinations for promotion should be carefully and strictly, or, in other words, efficiently conducted; and further, as it is manifestly desirable that the effect of the present system of admission examinations on the general intelligence of the officers of the army should be tested in every possible way, the Council would recommend that the questions used at the examinations for promotion, and the replies of the officers, should from time to time be forwarded to the Council for inspection, as there cannot be a doubt that much valuable information would be thus acquired, either confirmatory of the advantages gained by the adoption of an educational standard of admission, or suggestive of alterations, should any be necessary.

#### ROYAL MILITARY COLLEGE.

The next object to which the attention of the Council was specially directed, was the consideration of the then condition of the Royal Military College, Sandhurst, with a view to the suggestion of such alterations or improvements as might be found, on inquiry, to be desirable.

All the preceding observations have referred to the means, either proposed or adopted, for advancing the professional knowledge of officers after their first appointment, as well as for ascertaining that their education before

appointment has not been neglected. The subject now to be discussed is of a different nature, as it refers to a necessity, recognized in all great military nations, of adopting a special system of instruction for at least a portion of, if not of all, the youths destined for the military profession.

The establishment of the Royal Military College was fixed at 180 cadets, and at the time when the Council entered upon this inquiry 154 cadets were actually on its books. The age of admission was from 13 to 15 years; the average period of residence was about three years. The cadet, to obtain his commission, was required to pass in six sections of study, called steps, three of which, namely, Euclid, fortification, and military surveying, were compulsory, and for the other three steps the cadet was allowed the option of selecting from the higher mathematics, the French and German languages, history, geography, and Latin. After passing in any one step or subject of study at any period of the course, the cadet was allowed to drop it entirely and give his whole attention to the remaining subjects, one or more at a time, in which he had yet to pass.

The memorandum of his Royal Highness the General Commanding in Chief, already quoted, contemplated the conversion of the above establishment into one possessing more of the character of a college, to which youths of 16 to 18 years of age should be admitted; the candidates for admission being no longer mere boys. And it was further determined that the theoretical class of the Royal Military Academy should be amalgamated with the Royal Military College, which should henceforth therefore prepare candidates not only for commissions in the cavalry and line, but also for admission to the practical class (or School of Application) at Woolwich, with a view to their appointment to the corps of Royal Artillery and Royal Engineers, the selection of all the candidates being by competitive examination.

The Council accordingly prepared a scheme, which it submitted to the General Commanding-in-Chief, and which, having been submitted by his Royal Highness and by the then Secretary at State for War to the Queen, was sanctioned by her Majesty.

The outline of this scheme may be briefly stated. Candidates for admission were required to be between the ages of 16 and 18 years, and having been placed, with the sanction of the Commander-in-Chief, on the list of competitors, were allowed to compete, and if not at first successful, were permitted to come forward a second time, if still within the limits of age; the first candidates in the order of merit, as represented by the general total of marks, succeeding to the vacancies at the College. The establishment was to be gradually raised to 600 cadets. The period of study, which was not to exceed two years, was to be terminated by a competitive examination, the most successful candidates in which were to be permitted to select the corps of Royal Artillery or Royal Engineers, or to receive, if they preferred it, commissions without purchase in the cavalry and line; those who selected the Artillery or Engineers were to be transferred to the School of Application at Woolwich, for special instruction in the sciences appertaining to those branches of the service. Subsequently, to avoid any misconception on the part of the public, the proviso by which the sanction of the Commander-in-Chief was required before a candidate could be entered on the list of competitors was withdrawn, and the competition was left entirely free.

The advantages which the Council expected would be secured by this

plan were the following:—1. The competitive examination for admission to the College would be based on the ordinary subjects of a liberal education, and, as such, would not interfere with, but, on the contrary, would greatly assist, the general schools of the country. 2. The competition among the cadets themselves for the corps of Royal Artillery and Royal Engineers would be based in great measure on the subjects of military, as distinguished from general, education; whilst this competition between so many cadets who had all proved their ability at the entrance examination, would have raised the intellectual standard of the officers of all arms of the service. 3. The gradual increase of the establishment to 500 cadets, preparing for all arms of the service, held together by a strict military discipline, and trained to the exercises of the three arms, would, it was conceived, infuse a military spirit into the cadets far beyond that which can be expected to be called forth in two separate and comparatively small colleges; and as 250 cadets would annually enter the army from Sandhurst, of which number 200 would join the line, the enlarged competition for first admission, as well as for that of admission to the School of Application at Woolwich, would have on all the candidates an influence which could not be otherwise than highly beneficial to the army at large.

The scheme submitted by the Council having been approved, the first examination under its provision was held in January, 1858, when 33 candidates presented themselves, out of whom 24 possessed the required qualifications, and were admitted. The very brief interval of time which elapsed between the public notice and the actual holding of the examination, was doubtless the reason why so few candidates came forward; however, as will be hereafter shown, several of the candidates were possessed of as much intelligence as had been exhibited in the preceding Woolwich examinations. In the session of 1858, the House of Commons passed a vote adverse to the plan of amalgamating the colleges of Woolwich and Sandhurst, and in consequence that part of the scheme was abandoned.

It is obvious that this abandonment of the plan proposed by the Council, and the consequent restriction of the Royal Military College to the one object of preparing officers for the line, had a natural tendency to diminish the number of candidates for admission to the college, and in consequence the number of officers who, previous to entering the army, would have received a military education.

Had, for example, the system proposed received its full development, 200 cadets would, as before observed, have left the college annually with commissions in the cavalry or line, having been thoroughly educated for two years in military science, and instructed in the exercise and objects of each arm of the service. In the absence, however, of the inducement to enter the college which a competition for the Royal Artillery and Royal Engineers would have afforded, it is not probable that the college can be raised above its present establishment of 180 cadets (if indeed it can be maintained at that strength), and the number of officers annually supplied to the army from the college cannot therefore (with an average residence of two years) exceed 90.

The number of first commissions annually vacant will probably, in the present state of the army, exceed 500, and the proportion of officers who have received military education to those who have not will be, consequently, less than one to five.

This very small number of highly trained officers admitted to the army,

and its probable still further diminution, should the number of cadets at the Royal Military College continue to fall off, will, unless speedily checked, unquestionably prove a serious evil, as much of the good effect to be expected from the present system of ensuring, by an admission examination, that the general education of no officer has been entirely neglected, will be lost, should his subsequent professional education be left unprovided for, excepting so far as is absolutely necessary for the performance of ordinary regimental duties.

In a former part of this report the measures which the council had proposed in order to provide a practical military education for every young officer have been detailed, as well as the difficulties which prevented their accomplishment. As, however, it is no longer intended that the Royal Military College shall undertake the instruction of candidates for the ordnance corps, it seems desirable that the instruction of the candidates for the cavalry and line should not only be improved as far as is practicable, but that the advantages of the Royal Military College should be extended beyond its present sphere, and that it should be made to embrace within its influences all candidates for those branches of the service.

The council has from time to time submitted projects for carrying out this important measure; but as the question is still under the consideration of the authorities, it is only necessary to mention the general grounds on which it has proposed such an extension of the present Royal Military College, as is here indicated. These are,—

1st. That the present arrangement under which officers, after passing a very moderate examination in the subjects of a general education, obtain their commissions without having acquired any kind of professional knowledge, is most unsatisfactory. A mode of appointment so imperfect does not, it is believed, exist in any other European army. From this neglect, before or upon first appointment, of all other professional instruction than that which is connected with their ordinary regimental duty, it follows that officers in most cases pass their entire military service without ever having the means afforded them of acquiring that knowledge which would be most valuable to them and to the army when in the field, and which every officer should be expected to possess. And—

2nd. The character of military or professional education is totally distinct from that of general education; and therefore, whilst the latter may be best confided to the public schools or other instructional agencies of the country, the former can only be effectually carried on under the superintendence of officers who have specially devoted their attention to the subject, and have added to acquired knowledge practical experience, or, in other words, at a military college.

The primary education and moral training of aspirants for military service being left in the hands of the ordinary teachers of the country, up to the time when they are ready to enter upon a military career, it is evident that the professional education and training so essential to their future efficiency which they will receive at the Military College must be special in character, totally inapplicable to any other profession, and as necessary to an officer of the army as the drill and instruction of a recruit are to the private soldier.

Under these circumstances, as the professional education of officers must greatly tend to increase the efficiency of the army, it seems only just and expedient that the public should at least provide the necessary buildings,

&c. of such an establishment as has been referred to; the expenses of board and education being defrayed by the contributions of the students attending it.

Such a scheme would not be restricted in its effects to the acquisition of professional knowledge, but would originate and mature a high military spirit and a feeling of fellowship amongst those who are thus associated together as military men before their actual assumption of the duties of officers. Could any more powerful reasons be required for the establishment of such an institution?

It is true that various circumstances connected with the public service have from time to time interfered with the consideration of this project; but although it may be still found expedient to postpone its execution for the present, the council cannot but hope that at no very distant period it may be found possible to carry it into effect, as, until then, the advantages which the army will derive from the staff appointments having been thrown open to officers of intelligence and industry, or from the examinations for first appointment and for subsequent promotion in the lower ranks, will be much lessened by the generally defective knowledge of subjects which, though not forming a part of the ordinary course of regimental instruction, are of the highest importance to the officer.

When it had been decided that the college as a place of instruction should be confined to candidates for the line, it became necessary to redeem the pledge virtually given to the twenty-four candidates who had entered Sandhurst on the faith of its being preparatory for the Artillery and Engineers, as well as for the line, and they were in consequence transferred to Woolwich.

Before, however, the transfer had been approved by the Secretary of State three of the cadets had been removed by their friends, with a view of competing for admission to Woolwich, at the half-yearly competitive examination; and they were not only successful, but one of the number actually obtained the first place, in competing with seventy-nine candidates. This result combined with the fact that one of the twenty-four—having originally competed at both the competitive examinations for Sandhurst and Woolwich, and having been successful at both—had been allowed to select Woolwich; and again, that a fifth (being one of those that were transferred without a second examination) has since the transfer acquired a high position at the Royal Military Academy, is a sufficient proof that those apprehensions which were entertained by some, that the candidates for the Royal Artillery and Royal Engineers obtained in the first instance by the competitive examinations for Sandhurst, and, secondly, by the competitive examinations at the college, would have been inferior to those entering by the competitive examinations for Woolwich only, were without foundation; whilst it cannot be doubted that the military training would have been greatly improved.

Two examinations for admission have subsequently been held; in the first of which, in June, 1858, fifty-nine candidates presented themselves, of whom fifty were admitted, and in the second, in December, 1858, thirty-four candidates came forward, of whom twenty-five were successful. With the alteration of the age of admission to the Royal Military College, it became necessary to make essential alterations in the character of the instruction. The system of steps before referred to was considered altogether inapplicable to the college as now constituted, and it was laid down that cadets were to be required to take up the whole of their subjects at



their final examinations. The studies were re-arranged, and time-tables established calculated to develop in its due proportion the instruction in each branch. The staff of masters was at the same time increased, and their payment put on a footing which will, it is hoped, be sufficient to secure the services of gentlemen of eminence in their respective branches of science.

The members of the Council having been appointed visitors of the educational department of the college, they have made frequent inspections of the studies, and are gratified to be able to report that the competition for commissions without purchase, which was introduced in December last, has already produced a spirit of emulation in the college from which the best results may be anticipated.

Twenty-one cadets obtained commissions without purchase from the college in June, 1858, and twenty-three in December.

The advantages which the college secures, over and above those of military education, are, that the cadets who either compete successfully for commissions without purchase, or who pass the prescribed college examination for a commission, are at once placed at the head of the Commander-in-Chief's lists, and have the priority of appointment over all who have merely passed the examination for direct commissions.

A further advantage, and one of the highest importance, is, that the military instruction afforded by the college places the future officer in the best possible position for obtaining subsequent success at the staff college and appointment to the staff.

#### ROYAL MILITARY ACADEMY, WOOLWICH.

It was not until August, 1858, that the superintendence of the Council over the education of officers of the army was rendered general by the extension of its visitorial functions to the Royal Military Academy. Since that time the Council has had under its frequent and earnest consideration the propriety of taking advantage of the much higher amount of general knowledge, more particularly in mathematics and some of the collateral sciences, with which the candidates now enter the Royal Military Academy by the competitive examinations, and without checking the advance of the more highly gifted of the students, in abstract science, giving a far more practical direction to their studies than heretofore, and adapting the course of study at the academy more fully to the higher professional objects, both of the artillery and engineer student. In conformity with this view, the old distinction of theoretical and practical classes will be shortly abandoned, and the academy will then be considered a school of application, theoretical and practical instruction being continuous and simultaneous from the beginning to the end of the course. The scheme of study, in drawing up which the Council has received most important assistance, especially in the mathematical branch, from its colleague the Rev. Canon Moseley, will, it is hoped, be published in the Council's next report, as it will then have come into full action, and have been sufficiently proved in practice; it is sufficient to observe at present, that the authorities of the Royal Military Academy, as well as the experienced and able masters of that establishment, have been consulted both as regards the principles and the details of the system proposed. The additional buildings intended to afford to every cadet a separate room are now about to be commenced, and, com-

bined with the above alterations in the course of study, will assimilate the institution, in many respects, to the colleges and universities of the country.

The report was signed by Major-General D. A. Cameron, Major-General J. E. Portlock, Canon Moseley of Bristol, Colonel T. Elwyn, and Lieutenant-Colonel J. E. Addison.

## BRITISH MUSEUM.

*A Return showing the Names and Salaries of the Officers and Assistants employed in the British Museum, the South Kensington Museum, the Museum of Practical Geology, and in the Ordnance Geological Survey, specifying the duties of each Person, the date of his appointment, and any regulations which may exist regarding increase of salary, &c. (Mr. Dillwyn.) 8th May, 1860. (427.)*

In the British Museum M. Antonio Panizzi receives 800*l.* per annum as principal librarian, and 400*l.* per annum as secretary, with an official residence within the precincts of the Museum; Mr. Thomas Butler, clerk and assistant secretary, 400*l.*; Mr. John Winter Jones, keeper of printed books, 600*l.* per annum, and official residence; Mr. Thomas Watts, assistant keeper, 400*l.* per annum; Mr. William B. Rye, assistant keeper, 400*l.* per annum; Sir F. Madden, keeper of department of manuscripts, 600*l.* per annum, and official residence; Mr. E. A. Bond, assistant keeper and Egerton librarian, 400*l.* per annum; Professor Owen, superintendent of department of natural history, 800*l.* per annum; Dr. John E. Gray, keeper of the department of zoology, 600*l.* per annum, and official residence; Mr. G. R. Waterhouse, keeper of the department of geology, 500*l.* per annum, and official residence; Mr. N. S. Maskelyne, keeper of department of mineralogy, 500*l.* per annum; Mr. L. J. Bennett, keeper of the department of botany, 350*l.* per annum; Mr. Edward Hawkin, keeper of department of coins and antiquities, 600*l.* per annum, and official residence; Mr. W. H. Carpenter, keeper of department of prints and drawings, 500*l.* per annum, and official residence.

In the South Kensington Museum, the general superintendent, Mr. Henry Cole, has 1,200*l.* a year; Mr. R. Redgrave, art referee and inspector-general of art, 750*l.*; Capt. Francis Fowke, engineer and architect, 650*l.*, with an official residence; Mr. Philip Cunliffe Owen, deputy general superintendent, 330*l.*, with an official residence; and Mr. Robinson, superintendent and keeper of the art collection and library, 460*l.*, rising to 500*l.*

In the Museum of Practical Geology and School of Mines, the director, Sir Roderick I. Murchison, 300*l.* per annum; the lecturers, 200*l.* per annum each; the chemist and metallurgist, 100*l.* each; Mr. R. Hunt, the keeper of mining records, 460*l.*, rising to 500*l.*

In the Geological Museum, the director-general, Sir R. I. Murchison, receives 800*l.*; the local director, Mr. A. C. Ramsay, 475*l.*, rising to 600*l.*; the palæontologist, Mr. J. W. Salter, 345*l.*, rising to 450*l.*; the naturalist, Mr. Thomas A. Huxley, 450*l.*, rising to 600*l.*

## NATIONAL COLLECTIONS.

*Returns of Sums expended on account of the British Museum, National Gallery, Scientific Works and Experiments, Geographical Society, Science and Art Department, &c., in the last Thirteen Years; also Sums expended on the Kensington Gore Estate since 1851. (Mr. Spooner.) 1st June, 1860. (345.)*

THE sum expended for such objects amounted as follows:—1847-48, 134,866*l*.; 1848-49, 122,742; 1849-50, 96,713*l*.; 1850-51, 103,841*l*.; 1851-52, 122,991*l*.; 1852-53, 111,114*l*.; 1853-54, 114,627*l*.; 1854-55, 163,588*l*.; 1855-56, 228,866*l*.; 1856-57, 202,477*l*.; 1857-58, 214,574*l*.; 1858-59, 207,966*l*.; 1859-60, 230,448*l*. The sum expended in 1859-60 was distributed as follows:—British Museum establishment, 54,682*l*.; British Museum building, 32,513*l*.; British Museum purchases, 23,763*l*.; National Gallery, 20,344*l*.; scientific works and experiments, 3,022*l*.; Royal Geographical Society, 500*l*.; British Historical Portrait Gallery, 2,030*l*.; Science and Art Department, including the Industrial Museum of Scotland, the Museum of Irish Industry, the Royal Dublin Society, and the Geological Survey of the United Kingdom, 85,908*l*.; the Museum of Practical Geology establishment, 6,684*l*.; Royal Society, 1,000*l*.: total, 230,448*l*. The sum expended in the purchase and laying out of the grounds and buildings on the Kensington Gore estate from 1851 to 1858 were as follows:—1851, nil; 1852, 75,357*l*.; 1853, 150,778*l*.; 1854, 9,903*l*.; 1855, 11,556*l*.; 1856, 29,714*l*.; 1857, 35,586*l*.; 1858, 55,205*l*.: total, 372,100*l*. The Commissioners for the Exhibition, 1851, repaid to the Treasury, in January, 1859, under the provisions of the Act. 21 & 22 Vict. c. 36, all the monies granted by Parliament for the purchase of the Gore Estate, less the value of the land returned by the Government for the purposes of the the department of Science and Art, under section 2 of the said Act; such estate, therefore, is now in the same position as any other private property.

## SOUTH KENSINGTON MUSEUM.

*Return of the number of Visitors to the South Kensington Museum from its opening to 31st December, 1860. (Lord Henry Lennox.) 9th April, 1861. (142.)*

THE total number of visitors from 22nd June, 1857, to the 31st December, 1860, 1,100 days open, was 1,810,640. The attendance was, in the morning, 967,937; in the evening, 801,776; exceptional evenings, 40,927. The average per morning was, on Monday, 1,508; Tuesday, 1,302; Saturday, 1,352: and in the evening, Monday, 2,289; Tuesday, 1,878.

## WRECKS AND CASUALTIES.

*Report on the Wrecks and Casualties which occurred on and near the Coasts of the United Kingdom, from the 1st January to the 31st December, 1859.*

THE ships and lives lost on the coasts during the past year were greatly in excess of the numbers recorded as lost in any previous year. As compared with 1858, there were 1,416 casualties against 1,170, and 1,645 lives lost against 340. This increase was chiefly attributable to the violent gales of October 25 and 26, and of October 31, and November 1 and 2. In the former gale there were 133 total wrecks and 90 casualties resulting in serious damage, and 798 lives were lost. This number, however, included the loss of 446 lives in the *Royal Charter*. In the latter gale there were 27 total wrecks, and 27 casualties resulting in partial damage, and there was a loss of 51 lives. Besides this, 424 lives were lost at once in the *Pomona*, on the 28th of April, and 56 in the *Blervie Castle* on or about the 20th of December.

Whilst the number of casualties to British ships trading to, from, or between places in the United Kingdom greatly increased, viz., from 927 in 1858 to 1,187 in 1859, the casualties to foreign ships similarly employed decreased from 209 to 188. In one voyage out of every 175 voyages made by British ships employed in the oversea trade, a casualty happened, whilst in only one voyage out of 335 has a casualty happened to a foreign ship similarly employed. The per-centages of casualties compared with voyages made by vessels in the coasting trade cannot be given, as no record is kept of coasting voyages made by British ships in ballast.

In the classification of the casualties according to the cargoes of the ships, it appears that the ships which have suffered most were as follows, viz., laden colliers, 506 in 1859 against 377 in 1858; light colliers, 71 against 41; ore ships, 130 against 101; and ships with passengers and a general cargo, 42 against 14. The greatest number of casualties have happened to ships between 14 and 20 years old, next between 20 and 30, and then to comparatively new ships, or ships between 3 and 7 years of age. It also appears that 64 were upwards of 50 years old, 3 of this number being between 80 and 90, one between 90 and 100, and 1 above 100 years old. Those which have suffered most were as follows, viz., schooners, 491; brigs, 292; sloops, 127; and barques, 123; the number of casualties to vessels between 100 and 300 tons is 493; between 50 and 100 tons, 455; and below 50 tons, 306; whilst the number to vessels from 300 tons to 1,200 tons and upwards is only 160.

The wrecks and casualties on the east coast were 621, against 514 in 1858; on the south coast 136 against 89; and on the west coast 466 against 304. There was a decrease in the number on the Irish coast, viz., 99 against 168 in 1858; and also on the Scilly Islands, viz., from 14 in 1858 to 3 in 1859. There was a slight decrease in the number on Lundy Island, but a great increase on the Isle of Man, viz., from 6 in 1858 to 28 in 1859. The number of casualties on the north coasts and northern islands of Scotland differed very slightly from the number in the previous year.

The wind, which has been most disastrous to shipping during 1859, was the S.W. wind; this was also the case during 1858. The casualties during the S.W. wind were, in 1858, 110, and in 1859, 166. Next comes the W.S.W., which showed 104 casualties in 1859 against 65 in 1858. Then follow the S.S.W., the N.E., the W., and the W.N.W., which showed a

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marked prevalence as compared with the previous year. The casualties happening with the wind at East and S.E. have decreased, as compared with the previous year; they showed S.E. 72 against 108 in 1858, and East 33 against 66. A marked increase has taken place in those which happened during force 11 (or "Storm"), viz., 88 against 57 in 1858, and at force 12 (or "Hurricane"), 87 against 11.

The number of ships to which casualties happened, commanded by masters possessing certificates of competency was 217, against 344 commanded by masters holding certificates of service, and 597 commanded by masters not required by law to have certificates. It is computed that the loss of property caused by wrecks and casualties on the coasts of the United Kingdom during the year 1859, was in cargoes about 893,000*l.* and in ships 870,000*l.*, being a total loss of nearly two millions.

In 1859 the wrecks and strandings involving total loss amounted to 527 against 354 in 1858, and those involving partial loss to 540 against 515 in 1858. The total number of strandings, &c. being 1,067 against 869 in 1858. The number of collisions involving total loss was 58 against 50 in 1858, and of collisions involving partial loss 291 against 251; the total number of collisions being 349 against 301 in 1858. 116 collisions happened in the daytime between 6 A.M. and 6 P.M., against 76 in the daytime in 1858; 233 happened in the night between 6 P.M. and 6 A.M., against 225 in the night in 1858; only 89 happened between April and September inclusive, and 260 happened between October and March inclusive. There was an increase in the whole number of collisions in 1859 over the number in 1858; and the causes of this increase were as follows:—Bad look-out, 83 against 47 in 1858; neglect of rule of roads, 78 against 38; error in judgment, 25 against 7; and inevitable accident, 49 against 24. There was, however, a decrease under the head of neglecting to "Show Lights" and under several other headings; but, on the whole, the increase in the number of collisions was 48. There was a decrease in the number of wrecks and strandings on the outlying sands and rocks, viz., 123 against 150 in 1858.

The means for saving life have received due consideration and attention during the year 1859. The number of life-boats stationed on the coasts of the United Kingdom was 158, being an addition of nine to the number included in the return for 1858. Of this number five were at the sole expense of the Royal National Life-boat Institution, and eighty-eight are under the management of that institution, but subsidized by this Board. Several new stations for the mortar and rocket apparatus for saving life from shipwreck have been established during the present year, and the rocket apparatus has been substituted for the mortar where it was considered more suitable to the requirements of the locality. The apparatus at some of the old stations has been transferred to a more suitable spot, and some of the old stations have been discontinued altogether. So that although a great improvement in the apparatus has taken place during the year, there is no increase in the number of stations.

The payments made during the year 1859 to the National Life-boat Institution amounted to 2,196*l.* 6*s.* The payments by the Board of Trade direct for rewards and gratuities, and for services at wrecks, amounted to 457*l.* 3*s.* 6*d.*, and the expense of maintaining and using the mortar and rocket apparatus to 1,943*l.* 7*s.*, being a total payment during the year of 4,596*l.* 16*s.* 6*d.*, for saving and endeavouring to save life from shipwreck.

The number of rewards for gallantry in saving life granted out of the

Mercantile Marine Fund, was 207, viz., 2 silver and 14 bronze medals, and 191 pecuniary rewards; and to the subjects of foreign states, out of the public vote, 237, viz., 18 gold and 16 silver medals, 37 telescopes, 4 sextants, 1 case of surgical instruments, 2 gold chronometers, 4 gold watches, and 155 pecuniary rewards. Besides the honorary and pecuniary rewards above enumerated there were many cases in which the thanks of her Majesty's Government have been expressed for the services rendered, and in which the expenses of detention, &c., have been repaid.

Exclusive of passengers, 10,538 hands were on board ships to which casualties happened; of the number on board, the lives of 3,977 were actually imperilled. 2,332 of the number on board were saved, whilst the number lost was 1,645, a larger number than previously recorded as lost in any one year. This great loss of life was owing chiefly to the nature and circumstances of the casualties and to the very severe state of weather, and was not in any manner to be attributed to inefficiency or want of skill in the apparatus for saving life, or of the officers and men by whom it is managed. For many wrecks, *e. g.*, *Pomona*, *Royal Charter*, *Blervie Castle*, happened at times and places when assistance was impossible. Although the loss of life has been so large, it is satisfactory to know that the number saved in 1859 also exceeded the number recorded as saved in any previous years. The numbers saved in 1859 were as follows:—291 by life-boats; 260 by the rocket and mortar apparatus; 1,009 by luggers, coast-guard boats, and small craft; 766 by ships and steam-vessels; 6 by individual exertion of a meritorious character; making a total, as above stated, of 2,332.

There is every reason to be satisfied with the abundant means provided for saving life on most parts of the coasts of the United Kingdom, and with the facility and efficiency with which those means are used whenever an opportunity offers; and although the great and unprecedented loss of life which happened in 1859 must be a lasting source of regret, it should be borne in mind that a large proportion of the cases were entirely beyond the reach of any human aid whatever.

There were, as above stated, 1,416 wrecks and casualties in 1859, of the collective burthen of 222,926 tons, having 10,538 hands employed in them. The wrecks and casualties took place as follows:—January, 115; February, 139; March, 136; April, 126; May, 32; June, 27; July, 34; August, 52; September, 86; October, 343; November, 170; and December, 156. Of the 1,416 wrecks and casualties, 1,221 were British ships, including 1,177 sailing ships and 44 steamers, and 188 were foreign sailing ships. The per-centage of casualties to voyages were as follows:—British ships: sailing ships in the coasting trade, 72 per cent., or one in 139; oversea, 65 per cent., or one in 154. To steamers in the coasting trade, 11 per cent., or one in 984; and oversea, 13 per cent., or one in 792. Foreign ships: sailing ships in the coasting trade, 23 per cent., or one in 43; bound to or from British ports, but not in the British coasting trade, 32, or one in 319.

Of the 1,416 wrecks and casualties, 148 were in ballast (not colliers), 506 were laden with coals, 71 were colliers in ballast, 4 had cargoes of cotton, 26 cotton, 19 were fishing smacks, 19 had fish or oil, 102 grain, oatmeal, flour, and provisions; 112 general cargo, 130 metallic ores, 21 manure, kelp, or oil-cake; 42 had passengers and general cargo, 21 potatoes or fruit, 26 salt, 5 sugar, coffee, spices, tea, and molasses; 82 stone, slate, lime, or bricks and clay; 61 timber or bark, 7 wine or spirits, 33 various or unknown.

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The ages of the ships were as follows:—Under 3 years, 131; 3 and under 7, 183; 7 and under 10, 80; 10 and under 14, 135; 14 and under 20, 213; 20 and under 30, 209; 30 and under 40, 107; 40 and under 50, 65; 41 and under 50, 31; 51 and under 60, 21; 61 and under 70, 7; 71 and under 80, 3; 81 and under 90, 1; 91 and under 100, 1; 100 and upward, 1; unknown, 229.

The description and tonnage of the ships were—Steam-ships, 34; barques, 123; billy-boys, 4; brigs, 292; brigantines, 98; chasse marée, 4; cibles, 1; cutters, 17; dandy, 10; flats, 4; galliots, 22; ketches, 20; keels, 1; luggers, 12; polaccas, 4; ships, 50; schooners, 491; sloops, 127; smacks, 90; snows, 8; trows, 1; yachts, 2; unknown, 1.

The wrecks and casualties for 1859 were—1,416 against 1,170 in 1858, 1,143 in 1857, 1,153 in 1856, 1,141 in 1855, 987 in 1854, 832 in 1853, and 1,015 in 1852. The collisions separately were—349 in 1859 against 301 in 1858, 277 in 1857, 316 in 1856, 247 in 1855, 94 in 1854, 73 in 1853, and 57 in 1852. Total in eight years, 7,143 wrecks otherwise than by collisions; average, 893: and 1,714 collisions; average, 214.

The wrecks and strandings reported in 1859 show an increase of 11·38 per cent. as compared with 1852; an increase of 40·58 per cent. as compared with 1853; an increase of 19·48 per cent. as compared with 1854; an increase of 19·35 per cent. as compared with 1855; an increase of 27·48 per cent. as compared with 1856; an increase of 23·21 per cent. as compared with 1857; an increase of 22·78 per cent. as compared with 1858. And the collisions reported in 1859 show an increase of 512·28 per cent. as compared with 1852; an increase of 378 per cent. as compared with 1853; an increase of 271·28 per cent. as compared with 1854; an increase of 41·3 per cent. as compared with 1855; an increase of 10·44 per cent. as compared with 1856; an increase of 26 per cent. as compared with 1857; an increase of 15·95 per cent. as compared with 1858.

#### VESSELS AND TONNAGE.

*Return showing the Number of Vessels and Tonnage entered inwards and cleared outwards at each of the Twelve principal Ports of the United Kingdom, in the Year 1859. (Mr. Horsfall.) 15th July, 1860. (450).*

In London there were entered 10,769 vessels, 2,837,698 tons; and cleared, 8,013 vessels, 2,223,256 tons. In Liverpool, entered, 4,904 vessels, 2,414,689 tons; and cleared, 5,094 vessels, 2,508,580 tons. In Newcastle, entered 4,375 vessels, 731,368 tons; and cleared, 8,006 vessels, 1,473,418 tons. In Hull, entered, 2,944 vessels, 666,236 tons; and cleared, 2,279 vessels, 535,018 tons. In Southampton, entered 1,017 vessels, 323,361 tons; and cleared, 918 vessels, 323,965 tons. In Glasgow, entered, 697 vessels, 144,066 tons; and cleared, 974 vessels, 256,095 tons. The other ports, such as Leith, Greenock, Dublin, Cork, and Belfast, had a tonnage entered and cleared were less than 100,000 tons respectively. The value of British exports was distributed as follows:—London, 30,235,924*l.*; Liverpool, 62,414,341*l.*; Hull, 12,980,587*l.*; Glasgow, 5,394,376*l.*; Southampton, 2,499,369*l.*; Newcastle, 1,906,514*l.*; Greenock, 1,106,268*l.*; Leith, 872,673*l.*; Bristol, 457,553*l.*; Cork, 168,252*l.*; Belfast, 141,175*l.*; Dublin, 48,270*l.*

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## SLAVE TRADE.

*Correspondence with the British Commissioners at Sierra Leone, Havana, the Cape of Good Hope, and Loanda, and Reports from British Vice-Admiralty Courts and from British Naval Officers, relating to the Slave Trade, from April 1, 1859 to March 31, 1860.*

*Correspondence with British Ministers and Agents in Foreign Countries and with Foreign Ministers in England relating to the Slave Trade, from April 1, 1859 to March 31, 1860.*

## REPORTS OF BRITISH COMMISSIONERS.

*Africa.*—On the 2nd March, 1859, her Majesty's judge at Sierra Leone reported that no case had been adjudicated by the British and foreign mixed courts of justice established in that colony. Nine vessels had been condemned in the Vice-Admiralty Courts under the Act 2 and 3 Vict., c. 37. The decrease in the number of captures is, however, far from being a proof of a decrease in the slave-trade carried on from the west coast of Africa. The number of slaves known to have been exported from the west coast during the year 1858 amounts to between 10,000 and 11,000; and in all probability many other shipments have taken place which have not become known to British authorities.

This unfortunate and discouraging state of things is owing solely to the protection which is afforded to slave-traders by the use of the flag of the United States. The slave-trade on this coast is now carried on entirely under cover of that flag, and of late the evil has increased in magnitude. Formerly slavers coming to the coast under the American flag, in many instances, assumed a nationality to which they were not entitled, their papers proving to be fraudulent; but for some time past every vessel engaged in this nefarious traffic, which has been fallen in with by her Majesty's cruisers, has been found to have genuine American papers in perfect order. The consequence of this disgraceful abuse of the American flag is, that in the absence of United States' cruisers, the slave-trade has been carried on under its protection with complete impunity, as a British officer will not run the risk of detaining a vessel whose papers prove her *bonâ fide* American nationality, although he may have no doubt as to the nefarious traffic in which she is engaged.

On the 2nd February, 1860, the same judge reported that no case had been adjudicated in the court, and that six vessels had been condemned in the Vice-Admiralty Court. On the south coast the slave-trade has been carried on with activity, almost all of it under the protection of the United States flag.

Her Majesty's commissary judge at Havana reported that, during 1858, as many as 12,744 slaves had been introduced in Cuba, in defiance of the law and in violation of the existing treaty, whilst 639 only had been captured. On the 5th December, 1859, the Commissioners reported that the slave-trade has been revived in the Mozambique and east coast of Africa, and that in consequence of the abundance of negroes, their cheapness, facilities of emancipation, and less risk of capture, numerous expeditions have been fitted out and gone out in that direction. During 1859 as many as thirty-nine cargoes, with 22,855 negroes, had landed, which, with one-third more as usual, gives upwards of 30,000 slaves landed in one year.



Her Majesty's Commissioners from the Cape of Good Hope reported that during the past year the slave-trade on the east coast of Africa has been carried on to a considerable extent. From Ibo alone it has been ascertained that before the month of August last, four vessels had taken off full cargoes for the Cuba market, and that other vessels from the same quarter were expected, one of which has now recently been taken before she had shipped her cargo. From Quilimane negroes were exported, as one informant expressed it, at the rate of a cargo every month for the supply of the engagés for the French settlements. Direct evidence to prove the complicity of the Portuguese authorities in these transactions is hardly to be attained; but it is difficult not to attach some credit to the report that the Governor of Ibo receives a fee of ten dollars for each negro shipped from the district under his jurisdiction, which he shares with the other subordinate authorities, without whose knowledge and connivance it would seem impossible that the traffic could be carried on.

From Loanda, her Majesty's Acting Commissioner reported that the number of vessels captured on the coast south of the equator, in 1858, was twelve, of which eleven were captured by the British and one by the American squadron. The slave-trade continued to be carried on under the flag of the United States. That part of the coast lying between Cape Lopez and Cabenda still continued most prominently distinguished for constant and active slave-trade, and that traffic was also carried on with unabated vigour in the river Congo, the slaves being for the most part bought at Embomma and other large markets in the interior of the Congo country, and conveyed down the river in canoes to Punta da Lenha and other spots suitable for temporary concealment; from thence they were sent overland, or removed in launches to the points of shipment, north or south of the river, according as the slave-dealers found the one or the other clear of British cruisers.

The supplies of slaves for shipment by the French agents during the past year have been drawn principally from the interior of the kingdom of Congo and from Loango; barracoons have been erected at Embomma by Messrs. Régis, the contractors, and extensive establishments formed at a place called Banana Creek at the mouth of the river Congo, where the vessels receive the greater part of their cargoes, and from whence not less than 4,000 Africans were shipped by the agents of Messrs. Régis during the past year.

#### CORRESPONDENCE WITH FOREIGN POWERS.

*Africa*.—Consul Campbell reported, from Lagos, on the 4th March, 1859, the result of an interview he had with Kosoko's chiefs who had made preparation to return to Lagos. He also gave the following account of the attempt of the French to purchase slaves:—

"On the failure of Commodore Protet's mission to the King of Dahomey to obtain from him the concession of the exclusive privilege for the French to purchase slaves at Whydah, the screw steamers *Stella* and *Dahomey*, belonging to M. Régis, which had been waiting in Whydah roads the result of the commodore's mission, set sail, the former, it was stated, to the Congo, the latter to Palma.

"I learn on good authority that the agent of M. Régis, at Palma, with the delegate of the Imperial Government, proceeded to Kosoko at Epé, and strongly urged him to supply a cargo of slaves for the *Dahomey*, that Kosoko

wished to comply with the request of the Frenchmen, but was reminded by Tappa of the treaty he had concluded with the English Government, in which he had strictly bound himself to make no more slave-trade; the Frenchmen, on the other hand, assured Kosoko that furnishing M. Régis with slaves is not slave-trade, because the slaves, after working for a limited number of years, are set at liberty, and will be sent back to Africa if they wish it. Kosoko, it appears, was about to yield to the representations of the Frenchmen, when Tappa, and the other Caboceers pointed out to Kosoko the danger of his selling any of his slaves or people who, having for a few years past enjoyed a great amount of personal liberty, and having had, many of them, the privilege of trading for themselves, would immediately desert when they perceived he was selling them; that not only would Kosoko's people run away, but those of the Caboceers also; that all of them were aware of Kosoko's treaty with the English, and would, if he began to sell them for shipment, probably go in a body to Lagos, and throw themselves on the protection of the English consul. Tappa's fears and representations prevailed, and Kosoko declined to furnish a cargo for the *Dahomey*; whither this vessel went afterwards I have not learnt, as I left Lagos about that time for England."

Consul Campbell also communicated many attempts of the chiefs, and of the King of Porto Novo to stop the palm-oil trade, and sent particulars of two associations formed, one entitled the Young Men's Benevolent Association, and another the Abbeokuta Road Improving Committee.

On the 17th March, 1860, Lord John Russell sent to Consul Brand the draft of an engagement to be entered into by the king and chiefs of the town of Lagos for the abolition of the inhuman practice hitherto prevailing in that place of destroying twin children, and one or both of their parents. From the Sherbro Island the consul-general reported that that consulate continued to be free from any renewal of the prosecution of the slave-trade.

*Brazil*.—On the 11th February Lord John Russell sent the following despatch to Mr. Christie and to her Majesty's Ministers at Madrid, Washington, Paris, and Lisbon :—

*" Foreign Office, February 11, 1860.*

" SIR,—It is my painful duty to call your attention to the increased and increasing prosperity of the slave-trade carried on between the west and east coast of Africa and Cuba. It appears that the number of negroes introduced into Cuba last year was, according to actual information, 22,000, and according to estimate, 30,000. It appears further, that United States' capital has been more and more employed in this traffic. It is ascertained, by repeated instances, that the practice is for vessels to sail under the American flag. If the flag is rightly assumed, and the papers correct, no British cruiser can touch them. If no slaves are on board, even though the equipment, the fittings, the water-casks, and other circumstances prove that the ship is on a slave-trade venture, no American cruiser can touch them. The master, indeed, often taunts the captain of a British cruiser with his impunity from capture. From the east coast of Africa a most profitable slave-trade is carried on almost without interruption. It is such, that a cargo of 1,000 slaves was lately embarked on board a single vessel, but the captain finding he had not provisions and water for so many, deliberately threw overboard 400 of those unhappy beings, when he had got out to sea.

" The governments of France, the United States, Portugal, and Brazil,  
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have co-operated with the Government of Great Britain, with a view to put an end to this traffic. The Government of Spain alone have persisted in screening and favouring this trade. The corruption of Spanish official persons in the island of Cuba is notorious; the price of connivance is publicly known, and many of these persons have returned to Spain, enriched by the gold they have amassed as the price of African blood. The engagements made by Spain with the British Government form part of the public law of Europe. In 1817, Spain concluded a treaty with this country for the abolition of the traffic in slaves north of the equator, and in accordance with the stipulations of that treaty, the British Government paid to that of Spain the sum of 400,000*l.*, to compensate Spanish subjects for losses which they might suffer as a necessary consequence of the abolition of the said traffic. In 1835, a further treaty was concluded by the Spanish Government with the Government of this country, by which Spain declared the slave-trade to be totally and finally abolished in all parts of the world.

"Great Britain might enforce by her own means the observance of these treaties; but humanity recoils at a war undertaken to impose humanity by force and bloodshed. Every expedient ought to be tried before an appeal to this last part is made. Her Majesty's Government, therefore, propose that the Ambassadors and Ministers of the Courts of France, the United States, Spain, Portugal, and Brazil, should be instructed to meet in London in the month of May or June of the present year, to consider what measures can be taken to check the increase of the slave-trade, and finally provide for its total abolition. Her Majesty's Government would be prepared to lay before such a conference their views on this important but distressing subject.

"I am, &c.

(Signed)

"J. RUSSELL."

Consul Morgan sent from Bahia the prices of slaves within the district of that consulate in 1858–59, as follows:—African male, 175*l.* to 210*l.*; African females, 130*l.* to 175*l.*; creole male, 186*l.* 13*s.* 4*d.*; creole male, with profession, 246*l.* 13*s.* 6*d.* to 316*l.* 13*s.* 6*d.*; creole female, 163*l.* 6*s.* 8*d.* to 175*l.* In Para a male slave was worth 125*l.* to 156*l.* 5*s.*; with trade, 156*l.* 5*s.* to 208*l.* 6*s.* 4*d.*; female, 93*l.* 15*s.* to 125*l.*; children, from two to seven, 41*l.* 11*s.* 4*d.* to 52*l.* 1*s.* 8*d.* In Pernambuco, African males, 157*l.* 16*s.* 3*d.* to 168*l.* 6*s.* 8*d.*; females, 105*l.* 4*s.* 2*d.* to 157*l.* 16*s.* 3*d.*; creole males, 189*l.* 7*s.* 6*d.* to 210*l.* 8*s.* 4*d.*; females, 168*l.* 6*s.* 8*d.* to 189*l.* 7*s.* 6*d.*; male, with trade, 157*l.* 16*s.* 3*d.* to 168*l.* 6*s.* 8*d.*; infants, from birth to five years, 84*l.* 3*s.* 4*d.* to 105*l.* 4*s.* 2*d.*; children, from five to fourteen years, 105*l.* 4*s.* 2*d.* to 126*l.* 5*s.* In Rio Grande, agricultural males, 135*l.*; females, 125*l.*; domestic males, 146*l.*; females, 135*l.* In Rio de Janeiro, agricultural males, 140*l.* to 225*l.*; females, 112*l.* to 180*l.*; domestic males, 141*l.* to 225*l.*; females, 112*l.* to 202*l.*

*France.*—On the 1st March, 1859, the Duke of Malakoff communicated to the Earl of Malmesbury a despatch which had been addressed to him by Count Walewski, relative to an armed visit to which the French ship *Phenix* had been subjected by officers of the British ship *Alecto*. To which the Earl of Malmesbury answered that her Majesty's Government disavowed the proceedings of the commander of the *Alecto*, though the facts of the case were very different from those represented by Count Walewski. In consequence of complaints made by the British Governor upon the working of the French scheme for procuring African labour,

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Count Walewski placed in the hands of Earl Cowley a *note verbale* answering some of the allegations made against French agents as follows:—

Her Britannic Majesty's Government has communicated to the Government of the Emperor, in the form of a *note verbale*, information coming from the east coast of Africa, and bearing an official character, on the subject of the recruitment of labourers carried on in the territories of the Sultan of Zanzibar by French merchant-vessels. This note tends to establish a similarity between these recruitments and slave-trade operations, and sums up in these terms the different points to which her Britannic Majesty's Government think it their duty, in consequence of information which they have received, to call the attention of the Government of the Emperor:—The authority of the Sultan of Zanzibar with reference to the efforts which he makes conscientiously to fulfil his constitutional engagements with the British Government on the subject of the slave-trade is designedly ignored by French vessels. These vessels are no longer submitted to the obligation of having on board a government officer, whose duty it is to prevent irregularities in the shipment of negroes. These negroes are procured by a purchase, which proves that they are slaves in the true sense of the word, and incapable of entering into a voluntary engagement to serve in the French colonies; in some cases their extreme youth evidently incapacitates them for making such engagements. The irregular recruitment of negroes for the French colonies is conducted on a very great scale: it is protected by ships of war of the imperial navy. Legitimate commerce suffers from it everywhere, and at Madagascar is even completely annihilated in consequence. Lastly, the recognition of the Sultan of Zanzibar by the French Government, and the establishment in his waters of a special French naval command, so far from putting an end to these calamities, will, it is feared, have the effect of perpetuating them by the moral, if not natural, coercion which is exercised against the Sultan. The proceedings of French agents, with reference to the slave-trade, appear to be in contradiction of the resolution of the Emperor to stop the operations which were effected on the east coast of Africa, and which had given rise to representations. The *note verbale* communicated by his Excellency the Earl Cowley has been examined with that attention which is always given to the communications of the English Cabinet; and it is after having made all the inquiries necessary in order to be instructed upon the facts which that note points out that the assertions enumerated above will be answered in the order in which they were communicated. It is not correct to say that French merchantmen have designedly ignored the power of the Sultan of Zanzibar in their recruiting operations. Having been formally authorized to engage negroes by repurchasing them, they have turned to account the facility which they have found in several points of the west for repurchasing from the Arab scheiks negroes who were in a state of slavery; but far from wishing to give to these operations (which were legal until the Emperor forbade their continuance) the character of an attempt against the authority of the Sultan of Zanzibar, they have always paid the custom-house dues for the shipment of the labourers engaged.

With regard to the fact that the officers of the French Government no longer superintend the recruitments, and the want of morality attending the engagements, there are foundations for answering that these allegations lose all probability when contrasted with the precise and repeated instructions issued by the governor of Réunion, in order to surround the recruiting

system by the most serious guarantees of morality, and in every circumstance to insure its control by special agents. As for the number of irregular recruitments effected for the French colonies, it can hardly have been as considerable as is stated, inasmuch as the system of recruiting by means of repurchasing was only allowed by the government of Réunion at a very small number of fixed places, and that, besides, authority to sail to those places for that purpose was only granted under certain precautions, and to a very limited number of vessels. The assertion that the ships of war of the imperial navy protect the irregular recruitments of negroes cannot be for a moment admitted. The engagements by repurchase being licit until the determination adopted last year by his Imperial Majesty, they must certainly have taken under the eyes of French men-of-war, but the presence of these vessels, far from being of a nature to provoke remonstrance, marked the watch which was kept up on these occasions, in conformity with the intentions of the French Government. No fact, no personal inquiry has as yet revealed to the French Government the injury supposed to have been done to legitimate commerce by the recruiting operations, and they cannot explain to themselves how this prejudice to trade can have arisen when they take into consideration the small number of places (as above-stated) at which engagements by means of repurchase were authorized.

The apprehensions expressed on the occasion of the recognition of the Sultan of Zanzibar by the Imperial Government, and of the command of the French naval forces on the east coast of Africa, with which an officer of high rank was invested by a recent decision, will no doubt disappear after the explanations which will be entered into upon these two points. The naval command in question is not a new creation; combined formerly with the functions of the governor of Réunion, it was separated from them as coming under the naval department, when the colonial service was detached from the Admiralty in order to be made a separate department. Thus the fact pointed out was only a measure caused by a re-organization of internal administration, and not having any peculiar meaning in itself. With regard to the recognition of the Sultan of Zanzibar, the interpretation given to it is justified by none of the acts of the commander of the French naval division or of his Imperial Majesty's consul at Zanzibar. This last agent only interfered in the differences between the Sultan Seid Mudjid and his brother of Muscat, Seid Jowein, at a time when the English consul, Mr. Rigby, was, on the contrary, tending, by the attitude which he assumed, to throw obstacles in the way of a reconciliation between the two brothers. We should be in a position to furnish very precise details on this subject, did we not wish to avoid here to enter upon recriminations against her British Majesty's consul. The commander of the French naval division did not adopt a line of conduct different from that of the imperial consul. Like him, in his relations with the sultan, he has held the most conciliatory language in conformity with the respect due to the sultan's authority. Both have acted in this in accordance with the disinterested views of the Imperial Government. The recognition of the Sultan of Zanzibar has been only, so to say, the ordinary act of courtesy consequent upon an accession, which the British Government was, as was natural, the first to perform. It was only retarded in the case of the Imperial Government by circumstances over which they had no control in connection with the distance of Zanzibar.

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Lastly, in answer to the allegations respecting the apparent contradiction existing between the orders of the Emperor and the acts of the agents of his government, it must be remarked that it only applies to the date which tallies with the information upon which the English *note verbale* was drawn up. Up to the beginning of the present year, operations by means of repurchase were certainly perfectly authorized, and the British Government had not been kept in ignorance of the mode of action of the French Government in this respect. But the instructions issued early in January formally forbade for the future enterprises of that nature which were formerly allowed on the east coast of Africa. Only a certain number of vessels, which had already left when these orders arrived at Réunion, must have pursued out and concluded their operations. But no other vessel was, nor will be, authorized to undertake operations of this nature, and the commander of his Imperial Majesty's naval forces on the east coast of Africa will be again invited vigorously to carry into effect the instructions of the French Government.

*September, 1859.*

*Netherlands.*—On the 17th February, 1859, Mr. Ward communicated from the Hague, that among the petitions presented to the Second Chamber of the States General against the Government bill for the abolition of slavery in the Dutch West India possessions, is to be found one on behalf of English colonists, owners of, or interested in, plantations in Surinam. The petitioners used the strongest terms with respect to the proposed measure, characterizing it as an almost complete confiscation of their property in Surinam, and did not hesitate to declare their belief that there was no example in any civilized state of a project so destructive of the rights of property as the one in question ever having been taken into serious consideration, even during the anarchy of a revolution. In conclusion, they express their opinion that the Chamber will find sufficient in the argument which they have brought forward to refuse their assent to the measure, or, at least, to introduce into it the following amendments:—1. That the amount of compensation shall be proportioned to the value of the property of which the petitioners are about to be despoiled. 2. That it shall be paid in cash, and the project of the bank be set aside. 3. That the plan of Government plantations be not approved of. 4. That the emancipated slaves shall remain in the plantations where they are now established, until provision shall be made for a sufficient introduction of immigrants.

The British and Foreign Anti-Slavery Society sent a petition to the King of the Netherlands on the subject of the memorial, calling in question the right of the petitioners to assert any claim at all for compensation, and complaining of their preferring a request calculated to embarrass the Netherlands Government and to impede its efforts to effect the abolition of slavery. On the 22nd October, 1859, Lord John Russell sent to Lord Napier a copy of a note which he had addressed to Baron Bentinck in reply to one from him announcing the abolition of slavery in Netherlands India. Lord John Russell offered the congratulations of her Majesty's Government upon the publication of this act of justice and wisdom.

*Persia.*—Some correspondence took place between Mr. Doria and Sir Charles Wood regarding importation of slaves allowed by the chief of Lingah, but the Persian Government expressed themselves ready to co-operate with the English with a view to the immediate suppression of the trade.

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*Portugal.*—The correspondence with Portugal referred to the election of an arbitrator at the Mixed Court in the Cape of Good Hope, and to Captain Rigby's despatch regarding the alleged connivance of the Portuguese authorities at slave-trade on the east coast of Africa.

*Spain.*—Mr. Buchanan communicated, from Madrid, that a society had been formed in Madrid for the introduction of cotton cultivation into the island of Cuba, and that they requested him to support a scheme for the immigration of free labour from the coast of Africa. Mr. Buchanan, however, felt that her Majesty's Government would not only oppose any attempt to establish a system of emigration from the coast of Africa, but that while slavery existed in Cuba it would even be impossible for them to sanction the emigration of free labourers from any of her Majesty's dominions in the east to that island. On the 24th August, 1859, Mr. Buchanan sent a royal order addressed to the Governor of Fernando Po, instructing him, on the ground that all men are free in countries where slavery is not acknowledged, not to deliver up, as claimed by the Governor of the Portuguese possessions of Santo Tomé and the Prince, certain negro slaves who had escaped from thence and taken refuge in the island. The correspondence with the consul-general of Cuba referred to frequent landings in the island and the capture of several slave-vessels. On the 3rd December, 1859, Consul-General Crawford gave the following information respecting the result of an adventure on 750 Bozal negroes which landed at Punta de Tegas:—

"The vessel was the Chilian barque *Eloisa*, of about 500 tons, fitted out and sailed from this port, in April last, under the charge of the notorious slaver, Captain Don Eugenio Vinas, and again went off to the coast of Africa, and no doubt will, in due course of time, return to land another cargo. Whether the circumstances of the wholesale murders turn out to be true to the full extent that rumour gives them, or not, it is the fact, that of 1,200 Macquays taken on board, only 750 were landed, having survived the voyage. But notwithstanding such enormous loss of life, the result of the adventure is far from discouraging, and so a new crew was at once obtained, and sent from hence, and the barque has sailed, as I hear, under the command of Vinas's nephew. Of the surviving 750, 29 died after landing; and the 721 have been sold at an average price of 1,000 dollars each, 721,000 dollars. Estimating the cost of 1,200 Macquas, at 50 dollars, 60,000 dollars; the cost of the ship and outfit, 40,000 dollars; and possibly expended in bribes, 102,000 dollars. That would give a cost total and expenses of 202,000 dollars, leaving 519,000 dollars. But the ship was not destroyed, and is worth 21,000 dollars, making up 540,000 dollars; from which deduct the crew and officers' wages, 40,000 dollars; the profit will be 500,000 dollars. Such results are too lucrative to be desisted from, and your lordship will at once perceive that the traffic cannot be put an end to without the exercise of force, carried out with energy and decision."

*United States.*—Considerable correspondence took place respecting American vessels carrying on the slave-trade and the boarding by her Majesty's ships of vessels suspected of being slave-vessels. On July 8, Lord John Russell wrote to Lord Lyons to urge on General Cass the necessity of immediately sending steamers to the African coast, on account of the abuse of the United States flag. Again, on the 29th, Lord John Russell desired Lord Lyons to call the attention of General Cass to the fact that the slave-trade was very greatly increasing, and that it was carried on almost entirely under the United States flag; information having reached

her Majesty's Government of between fifty and sixty vessels having left the United States and Cuban ports within the last few months for the purpose of engaging in this traffic. Lord John Russell continued:—

"Her Majesty's Government do not suppose that this trade is carried on in order to supply the Southern States with slaves, but as a profitable traffic by unprincipled men. The price of a slave in Cuba is often from 800 to 1,000 dollars, and Spanish agents often receive as much as from 8,000 to 10,000 dollars for their connivance at the landing of a single cargo of slaves. No representations made to the Spanish Government are, of any avail to check the corruption and venality which prevail among their magistrates, high and low, in Cuba. This state of things is very serious. The natural susceptibilities of the United States in regard to their flag, and the strict rules of international law, prevent any effectual interference with the slave-trade by British cruisers in the case of American ventures. But so much the more it behoves the United States' Government to take effectual means to save the honour of their flag from this abuse of its immunity. It appears, moreover, from accounts recently received by her Majesty's Government from the African coast, that slavers under the American flag are enabled to carry on their nefarious traffic, even in the presence of United States cruisers, owing to the omission in the laws of the United States, or the instructions furnished to American cruisers, of provisions to define what constitute the fittings of a slave vessel, and I have to instruct your Lordship to bring this defect to the notice of the United States' Government. I need not tell your Lordship that we do not in any way question the zeal and sincerity of the United States Government in this matter."

On the 19th July, Lord Lyons sent to Lord John Russell a note from General Cass, enclosing an extract from instructions given by the Secretary of the Navy to the officer appointed to command the United States squadron on the coast of Africa. The instructions are as follows:—

"In regard to your duties in suppressing the slave-trade, the following views are stated for your guidance. The United States are sincerely desirous wholly to suppress the traffic, and with that view have declared it piracy. They have by their treaty with England come under specific stipulations upon the subject, to which your particular attention is called. The object which the two Governments have in view, and the mode in which they propose to accomplish it, will at once be perceived from the plain language of the English article of the treaty. I need not impress upon you the importance of strictly observing this stipulation, and preserving inviolate the pledged faith of your country upon this point. Nevertheless the following suggestions may be found useful in enabling you to understand fully and precisely the views of your own Government upon this delicate subject.

"The Government does not acknowledge the right in any other nation to visit and detain vessels of American citizens engaged in commerce. The flag which the vessel wears is *primâ facie*, although it is not a conclusive, proof of nationality: it is a mere emblem, and it loses its true character when it is worn by those who have no right to wear it. Any vessel that displays the American flag claims to be an American, and may, therefore, be rightfully boarded and examined by an American cruiser if there be any circumstances attending her to justify a suspicion that she is not what she professes to be. But this privilege does not extend to the cruisers of any other nation. The United States do not claim that the mere hoisting



of their flag shall give immunity to those who have no right to wear it. Such a pretension would subject their flag to degradation and dishonour, because it would make it a cover for piracy and other crimes of similar atrocity; but their own citizens, who rightfully display it, are entitled to absolute immunity and protection. You will, therefore, at all times be prompt to prevent the search or detention of vessels of the United States on the high seas in the time of peace by the armed vessels of any other power.

“Should a vessel of the United States falsely assume the flag of any other nation, it will constitute no protection. You will, however, in all such cases where, from information or appearances, you have just reason to believe that the flag of any other nation has been falsely assumed by an American vessel, proceed with great care and caution. If it should be ultimately made to appear that she is a vessel of the United States, the case will be free from any difficulty or embarrassment. But if, on the other hand, she is in fact a vessel of any other nation, then you have no right whatever to arrest, detain, board, search, or examine her, or divert her from her course. The authority to do so depends upon her nationality, whatever appearances may be, or whatever may be your information of her character. You should, therefore, in all cases of apparently well-grounded suspicion, proceed with great consideration and caution, in order to guard against mistake. You may approach the suspected vessel, and speak with her, showing your own flag. You may request her to display her flag; if she refuse or omit to do so, you may discharge towards her a gun loaded with blank cartridge only. If she still refuse or omit to display her colours, you may discharge a shotted gun, pointing it so as not to hit or endanger her. If she display the colours of any foreign nation, you can proceed no further, except upon apparently well-grounded suspicion of fraudulent assumption of foreign colours by her, and upon your own responsibility. In such case it would be a reasonable course, with due notice of your intention, to send a boat to her for verification of her nationality. If she exhibits the requisite authentic documents to establish her foreign nationality, you will neither board her, nor detain her, nor inquire into her commercial operations, nor exercise any authority over her; and if your course has been reasonable, both with regard to the extent and manner of the verification, any claim of indemnity for detention of the vessel or interruption of the voyage, especially where the fault lies with her, will be nominal or of little account. You will note the circumstance upon her papers if requested; and, in all cases, immediately report the facts to your own Government, that they may be communicated to the Government of the country to which the suspected vessel belongs.

The United States, in stipulating to keep a squadron on the coast of Africa, meant to give to England and all the world an assurance of her determination and ability to protect her own flag against abuse, and thus remove all pretext for any interference with it by other nations. England accepted this stipulation as satisfactory so far as she was concerned, and, therefore, she has no reason, and I trust no wish, to invade the rights of the United States in that respect. I advert to the subject here only to put you in possession of the views of your own Government for your guidance in forming such arrangements as you may find it convenient to make for co-operation with British cruisers. I would consider it highly desirable that a vessel of each nation should, as far as possible cruise in company

with a vessel of the other, so that each might be in a condition to prevent abuse of the flag of its own country. In this way all just ground of difference or collision would be removed, while the harmonious co-operation of two Powers will go far to insure the full accomplishment of the common object in the suppression of the slave-trade. It is to be borne in mind that while the United States sincerely desire the suppression of the slave-trade and design to exert their power in good faith for the accomplishment of that object, they do not regard the success of their efforts as their paramount interest nor as their particular duty. They are not prepared to sacrifice to it any of their rights as an independent nation, nor will the object in view justify the exposure of their own people to injurious and vexatious interruptions in the prosecution of their lawful pursuits. Great caution is to be observed on this point."

On the 16th of August Lord Lyons sent a despatch to Lord J. Russell to the effect that, on the 12th instant he had communicated to General Cass verbally the substance his lordship's despatch of the 29th ultimo. He called his attention to the fact that the slave-trade was very greatly increasing, and was carried on almost entirely under the United States' flag; and he begged him to bring to the notice of the proper authorities the disadvantage which appeared to be caused by the omission in the law of the United States, or in the instructions given to their cruisers, of provisions to define what constitute the fittings of a slave-vessel. In conclusion, he said that it was needless to add that her Majesty's Government did not in any way question the zeal or sincerity of the Government of the United States in the matter of the suppression of the slave-trade. General Cass replied, that as to what fittings constituted such evidence of a vessel's being engaged in the slave-trade as to warrant her capture, he thought it difficult to lay down precise rules beforehand, and was of opinion that a great deal must be left to the judgment of the officers employed for the suppression of the trade. With respect to the earnest desire of the President and the present administration effectually to put a stop to the traffic, there could, the general said, be no doubt. The large proportion of their navy employed, or on the point of being employed, for this purpose, was in itself a convincing proof of this desire.

On the 11th October Lord Lyons sent to Lord J. Russell the following copy of a memorandum which he placed in the hands of General Cass, for the purpose of calling the attention of the Cabinet of Washington to the defect of the law, in not providing that the fact of an American vessel's being evidently equipped for the slave-trade shall suffice to warrant her being treated as a slaver by the United States' cruisers:—

"*Memorandum.*—The operations of the United States' squadron employed for the suppression of the slave-trade appear to be seriously impeded by the want of definite authority to regard the discovery of articles usually found only on board vessels engaged in that unhallowed traffic as sufficient ground for treating as a slaver (in absence of proof to the contrary), the vessels on board of which the discovery is made. Among the articles which have been considered as affording *prima facie* evidence that the vessel on board of which they are discovered is destined to be employed in the slave-trade, the following may be enumerated:—

"Hatches with open gratings, instead of the close hatches usual in merchant-vessels; divisions or bulk-heads in the hold or on deck, in greater numbers than are necessary for vessels engaged in lawful trade; spare

plank fitted for being laid down as a second or slave-deck; shackles, bolts, or handcuffs; a larger quantity of water, in casks or in tanks, than is requisite for the consumption of the crew of such vessel; an extraordinary number of water-casks or other receptacles for holding liquid, unless it be proved that such casks or other receptacles are destined only to hold palm-oil, or for other purposes of lawful commerce; a greater quantity of mess-tubs or beds than are requisite for the use of the crew; a boiler or other cooking apparatus, larger, or capable of being made larger, than is requisite for the use of the crew, or more than one boiler or other cooking apparatus of the ordinary size; an extraordinary quantity of rice, of the flour of Brazil, manioc or cassida, commonly called 'farina,' or of maize or of Indian corn, or of any other article of food beyond the probable wants of the crew, unless such extra quantity shall appear on the manifest as forming part of the trading cargo of the vessel; a quantity of mats or matting greater than is necessary for the use of the vessel, unless such mats or matting be entered on the manifest as forming part of the cargo; an extraordinary quantity of medicines, of a nature suited to the requirements of slaves, and admitting of being safely administered by men not skilled in the medical profession.

"It is understood, however, that the laws of the United States, as well as the instructions issued to the officers in command of their cruisers, are silent as to the nature or description of articles which are to be considered as evidence of the employment in the slave-trade of the vessel on board of which they are found, and that consequently much difficulty is experienced by those officers in interfering with vessels not having slaves actually on board. It would appear, therefore, extremely important, with a view to rendering the means employed by the United States for the suppression of the slave-trade really effective, that the attention of Congress should be called to this serious defect in the legislation on the subject.—October 10, 1859."

#### TREATIES OF COMMERCE.

*A Return showing the several Treaties now in force between the British Empire and Foreign States, for Commerce, Navigation, and Reciprocity; the dates of the same, and the Parties with whom contracted, distinguishing such as contain the Most Favoured clause, or regulate or provide for an Equalization of Shipping Dues.*

Country.	Date.	Reciprocity.	Most favoured Nation.	Equalization of Shipping Dues.
Abyssinia .....	Nov. 2, 1849	Reciprocity	Most favoured	} National treatment.
Austria .....	July 3, 1838	Reciprocity	{ Most favoured	
Baden .....	} Mar. 2, 1841	. See Prussia	{ Conditional .	
Bavaria .....			- - -	National treatment.
Belgium .....	Oct. 27, 1851	Reciprocity	- - -	National treatment.
Bolivia .....	Sept. 29, 1840	Reciprocity	Most favoured	British ships not to pay a higher duty than 1 dol. per ton (register) in ports of Borneo.
Borneo .....	May 27, 1847	- - -	Most favoured	
Bremen .....	Aug. 3, 1841	See Hans Towns		

Country.	Date.	Reciprocity.	Most favoured Nation.	Equalization of Shipping Dues.
Buenos Ayres .....	Feb. 2, 1825	Reciprocity	Most favoured	National treatment on vessels over 120 tons burthen.
Chili .....	Oct. 4, 1854	Reciprocity	Most favoured	National treatment.
China .....	Oct. 8, 1843	- - -	Most favoured	
Costa Rica .....	Nov. 27, 1849	Reciprocity	{ Most favoured Conditional .	{ National treatment.
Denmark .....	June 16, 1824	Reciprocity	- - -	{ National treatment.
Dominica .....	Mar. 6, 1850	Reciprocity	{ Most favoured Conditional .	{ National treatment.
Equator .....	May 3, 1851	Reciprocity	{ Most favoured Conditional .	{ National treatment.
France .....	Jan. 26, 1826	{ Reciprocity Navigation	Most favoured Navigation .	{ National treatment in direct trade and in ballast.
Frankfort .....	{ May 13, 1832 Dec. 29, 1835	{ Reciprocity	- - -	{ National treatment.
Frankfort (Customs Union)	Mar. 2, 1841	See Prussia		
Germany (Customs Union)				
Greece .....	Oct. 4, 1837	Reciprocity	- - -	{ National treatment.
Guatemala .....	Feb. 20, 1849	Reciprocity	{ Most favoured Conditional .	{ National treatment.
Hamburgh .....	Aug. 3, 1841	See Hans Towns		
Hanover .....	July 22, 1844	Reciprocity	{ Most favoured Conditional .	{ National treatment.
Hans Towns.....	{ Sep. 29, 1825 Aug. 3, 1841	{ Reciprocity	- - -	{ National treatment, direct. National treatment, indirect.
Hesse Cassel .....	Mar. 2, 1841	See Prussia		
Hesse Darmstadt.....				
Honduras .....	Aug. 27, 1856	Reciprocity	Most favoured	National treatment.
Japan .....	Aug. 26, 1858	- - -	Most favoured	
Johanna .....	June 3, 1850	Reciprocity	Most favoured	National treatment.
Liberia .....	Nov. 21, 1848	Reciprocity	{ Most favoured Conditional .	{ National treatment.
Lubeck .....	Aug. 3, 1841	See Hans Towns		
Mecklenburg-Schwerin	{ May 1, 1844	Reciprocity	Most favoured	National treatment.
Mecklenburg-Strelitz	May 1, 1844	Reciprocity	Most favoured	National treatment.
Mexico .....	Dec. 26, 1826	Reciprocity	Most favoured	National treatment.
Morocco .....	Dec. 9, 1856	Reciprocity	Most favoured	National treatment.
Muscat .....	May 31, 1839	- - -	Most favoured	Sum not exceeding 5 per cent. on imports, to cover tonnage dues, &c.
Nassau .....	Mar. 2, 1841	See Prussia		
	{ Mar. 17, 1824	- - -	{ Most favoured East Indies .	
Netherlands .....	{ Oct. 27, 1837	Reciprocity	{ Most favoured Conditional .	
	Mar. 27, 1851	- - -	- - -	National treatment.
New Granada (Columbia)	{ Apr. 18, 1825	Reciprocity	Most favoured	National treatment.
Oldenburgh .....	Apr. 4, 1844	Reciprocity	Most favoured	National treatment.
Paraguay .....	Mar. 4, 1853	Reciprocity	{ Most favoured Conditional .	{ National treatment.
Persia .....	Mar. 4, 1857	- - -	Most favoured	
Peru .....	Apr. 10, 1850	Reciprocity	{ Most favoured Conditional .	{ National treatment on vessels over 200 tons burthen.
Portugal .....	July 3, 1842	Reciprocity	{ Most favoured Conditional .	{ National treatment, in direct trade and in ballast.
Prussia .....	Apr. 2, 1824	Reciprocity	- - -	National treatment.

Country.	Date.	Reciprocity.	Most favoured Nation.	Equalisation of Shipping Dues.
Prussia, &c. (Customs Union)	Mar. 2, 1841	Reciprocity	- - -	National treatment.
Reuss Gleitz.....	Mar. 2, 1841	See Prussia		
Reuss Schleitz .....				
Reuss Lobenstein and Ebersdorff				
Roman States .....	Nov. 17, 1853	{ Reciprocity Navigation	{ Most favoured	National treatment.
Russia .....	Jan. 12, 1859	Reciprocity	{ Most favoured Conditional .	{ National treatment.
Sandwich Islands ....	July 10, 1851	Reciprocity	{ Most favoured Conditional .	{ National treatment.
Sardinia .....	Jan. 23, 1851	- - -	- - -	National treatment.
	Feb. 27, 1851	Reciprocity	{ Most favoured Conditional .	
Saxe Weimar Eisenach	Mar. 2, 1841	See Prussia		
Saxe Meiningen .....				
Saxe Altenburg .....				
Saxe Coburg Gotha...				
Saxony .....				
Schwartzburg Rudolstadt				
Schwartzburg Sonderhausen				
Siam .....	{ June 20, 1826 Apr. 18, 1855 May 13, 1856	{ - - -	Most favoured	British shipping exempt.
Sicilies .....	Apr. 29, 1845	Reciprocity	{ Most favoured Conditional .	{ National treatment, in direct trade and in ballast.
Sweden and Norway	Mar. 18, 1826	Reciprocity	Most favoured	{ National treatment. Decree, Oct. 26, 1849
Switzerland .....	Sept. 6, 1855	Reciprocity	Most favoured	
Thuringian Union ...	Mar. 2, 1841	See Prussia		
Turkey .....	{ Jan. 5, 1809 Aug. 16, 1838	{ Reciprocity	Most favoured	
Tuscany .....	Apr. 5, 1847	Reciprocity	- - -	National treatment.
United States .....	{ July 3, 1815 Oct. 20, 1818 Aug. 6, 1827 June 5, 1854	{ Reciprocity	Most favoured	
		Reciprocity	- - -	National treatment. Notification, Oct. 15, 1849.
Uruguay .....	Aug. 26, 1842	Reciprocity	{ Most favoured Conditional .	{ National treatment.
Venezuela .....	{ Nov. 7, 1825 Oct. 29, 1834	{ Reciprocity	Most favoured	National treatment.
Wurtemberg .....	Mar. 2, 1841	See Prussia		

## GREENWICH HOSPITAL.

*Report of the Commissioners appointed to inquire into Greenwich Hospital.*

THE Commission was issued on the 1st November, 1859, to Robert Ingham, Q.C.; William Nutt, and Capt. John C. D. Hay, with instruction to inquire into the internal economy and management of Greenwich Hospital, and of the funds by which it is maintained, and also whether the resources of the hospital can be more advantageously applied for the benefit of seamen who have served in the navy, and on the 4th May, 1860. The

history and design of Greenwich Hospital they reported as follows:—The first idea of the foundation of Greenwich Hospital was suggested by the great naval victory achieved in the month of May, 1692; but Queen Mary, the author of the generous design, had ceased to exist before it could be carried into effect. The buildings, the general plan of which was gratuitously given by Wren, were completed between 1694 and 1758; and the general objects of the grant of 1694 are as follows:—

“1st. The relief and support of seamen serving on board the ships or vessels belonging to the Navy Royal, who by reason of age, wounds, or other disabilities shall be incapable of further service at sea, and be unable to maintain themselves. 2nd. The sustentation of the widows of seamen happening to be slain or disabled in such sea service. 3rd. The maintenance and education of the children of seamen happening to be slain or disabled in such sea service. 4th. The further relief and encouragement of seamen. 5th. The improvement of navigation.”

Other Acts were subsequently passed under the reign of King William III., and as the terms of the original charter were thereby somewhat enlarged, the advantages were stated in greater detail as follows:—

“1st. To encourage the seamen of this kingdom to continue the industry and skilfulness in their employments by which they had for a long time distinguished themselves throughout the world. 2nd. To encourage them to continue also their ancient reputation for the courage and constancy manifested in engagements for the defence and honour of their native country. 3rd. To invite greater numbers of his Majesty's subjects to betake themselves to the sea. 4th. To promote the furnishing and supplying of his Majesty's Royal Navy with a competent number of able mariners and seamen, who might be in readiness at all times for that service.”

The conditions upon which the offer was held out were as follows:—

“1st. That the seamen, &c., should have voluntarily come in and registered themselves in and for his Majesty's sea service, in the manner prescribed. 2nd. That the fact of their having been employed in the king's service at the time of their being disabled, &c., should be certified by the naval officers who at such time were in the ship. 3rd. That the hospital should be capable to receive them, and the revenue thereof admit of being extended for or towards their relief or support.”

The advantages offered, exclusive of certain special privileges not connected with Greenwich Hospital, were as follows:—“1st. That the seamen registered and disabled, &c., as above, should be admitted and placed in the hospital, and should have provided and allowed them, during their lives, at the charges of the hospital, and out of the revenues thereof, according to the rules, &c., for its government, lodging, meat, drink, clothing, and other necessities and conveniencies. 2nd. That the wives of such registered and disabled seamen, &c., and the widows of those slain, killed, or drowned in the king's sea service, and not of ability to maintain or provide comfortably for themselves, should be received into the hospital, and there be provided for. 3rd. That the children of registered seamen, &c., so disabled or so slain, &c., should be also received into the hospital, be there provided for, and be educated at the charges of the hospital till they were fit to be put out, or of ability to maintain themselves.”

It is under the powers of the Act of 1703 that pensioners are still appointed. The complement which in 1705 was 100 only, has been

increased from time to time as the requisite buildings and funds permitted, until it reached, in 1814, its maximum of 2,710 men. These figures represent the number, not of the pensioners actually resident in the hospital, but of those for whose accommodation it was calculated that its resources and space would suffice. The complement of 2,710, fixed in 1814, has been seen since reduced by 68, to meet the additional expense of improved arrangements. The authorised number, therefore, is now 2,642; of these, exclusive of the infirmary, there are berths for 2,352 only; and these berths are now by no means fully occupied. Out of 61 wards, which the buildings contain, seven are at present closed.

The actual residents now are fewer than 1,600.

For this progressive decrease various causes have been assigned, or rather, the combined action of various circumstances. The gradual removal, by death, of the survivors of the last war; the long subsequent peace; the decreased naval armament since 1815; the greater facility with which out-pensions may be obtained, and their improved scale; the privileges granted to long-service men of drawing pay and pension together; the extension of commerce and general progress of the country, increasing the demand for seamen in the merchant service, and the facilities of obtaining other employment. To which may be added, the extension of the colonies, and the inducement they hold out to local settlement; the attractiveness, we fear, of the higher rates of pay in foreign navies, especially where our own language is in use, and we regret to add, an unwillingness, on the part of many seamen of the most valuable class, to enter Greenwich Hospital under the existing arrangements.

The Commissioners then entered into a careful survey of the condition of the pensioners, their wives or widows and children, the establishment, the constitution of the hospital, and the schools. The property of the hospital consists of real and personal estate. The real property of the hospital is composed of the northern or Derwentwater estates, and also of houses and land in the town of Greenwich. During 1859 the net rental amounted to 40,204*l.* for the northern estate, and 2,678*l.* for the Greenwich estate.

The estates in the north of England formerly belonged to James Radcliffe, Earl of Derwentwater. On his attainder and execution for taking part in the rebellion of 1715 they were taken possession of by the Crown. The claim of the earl's only son John, to the estates, which were strictly entailed, was admitted. On his decease, however, in 1731, under age and unmarried, they again came into the possession of the Crown, the next male heir, Charles Radcliffe, the brother of Earl James, being attainted and out of the kingdom. In 1735, George the Second recommended the House of Commons to vote some provision for completing a work of so much honour to the kingdom as Greenwich Hospital, which had before received frequent marks of their regard; upon which the House resolved that the money then in the Exchequer received on account of the estates of the Earl of Derwentwater, amounting to 7,182*l.* 13*s.*, and also the future rents and profits of the same should be applied towards finishing the hospital, and afterwards to the maintenance of the pensioners. This resolution was carried into effect by the Act 8 Geo. II., c. 29. The estates at this time yielded about 6,000*l.* a year, but were encumbered with mortgages to the amount of 8,900*l.*, and an annuity of 100*l.* These encumbrances the hospital discharged, and also paid 20,000*l.* as the portion of

Lady Anna Maria Radcliffe, only daughter of Earl James, on her marriage with Robert James, 8th Lord Petre. In 1749, by the Act 22 Geo. II., c. 52, 30,000*l.* was granted for the relief of the children of Charles Radcliffe, who was executed in 1746; 6,000*l.* was granted to the three daughters, and 24,000*l.* to the son, James Bartholomew, Earl of Newburgh, in satisfaction of his claim as next male heir. And upon his decease in 1787, the Act 28 Geo. III., c. 63, granted 2,500*l.* a year to his son, Anthony James, 5th Earl of Newburgh, the last male heir, with a power of settling an annuity of 1,000*l.* upon his wife by way of jointure; which jointure his widow, the present Countess of Newburgh, has received since the earl's decease in 1814. All these charges have been defrayed by the Hospital.

The total income for the year 1859 was as follows:—

Northern estates, 36,998*l.* 7*s.*; Greenwich rents, 2,890*l.* 14*s.* 10*d.*; interest on invested personalty, 83,485*l.* 15*s.* 3*d.*; Consolidated Fund grant, 19,775*l.*; freightage, 4,150*l.* 10*s.* 1*d.*; collections at the painted hall and chapel, 611*l.* 11*s.* 1*d.*; fines and penalties, 2*l.*; deceased pensioners' effects, 19*l.* 3*s.* 7*d.*; return of property-tax, 165*l.* 7*s.* 4*d.* Total income, 148,198*l.* 9*s.* 2*d.* The total expenditure during the same period amounted to 119,811*l.* 1*s.* 3*d.*; leaving, after all expenses, a surplus for 1859, of 28,387*l.* 7*s.* 11*d.*

The commissioners, in conclusion, made the following recommendations:—

That, in reorganizing the constitution, it is desirable to establish an executive council, acting under the control of the Admiralty, which shall be charged with the entire internal economy of the institution.

That this council consist of three commissioners, who shall deliberate and decide jointly, although in the preparation and conduct of the business each of the three commissioners shall be considered as having charge of a special department.

That the three commissioners be respectively a naval officer, being a rear-admiral, to be termed the admiral-superintendent, whose special department shall be the discipline of the hospital; the director-general of the navy, whose special department shall be the health and personal comforts of the pensioners; and one civil commissioner, who shall be a civilian, and whose special department shall be the finances.

That the offices of the present salaried commissioners be abolished.

That for all the purposes defined in the Act of 1829, the members of the above council, together with the *ex officio* commissioners—the paymaster-general and the first commissioner of your Majesty's Woods and Forests for the time being—be termed and be "The Commissioners of Greenwich Hospital."

That no commissioned officer of the navy be admitted to the hospital, except in an administrative capacity; and that none be so admitted, except his services be needful to the administration, and except he be in a state of health and at a period of life enabling him to discharge active duties. To this end, the commissioners recommended that the military officers be appointed for five years only, and receive during that period from the hospital the full pay of their respective ranks, suitable house accommodation, a commuted allowance, to be settled by the Admiralty, in lieu of rations, servants, and other necessities, but no other allowances of any kind.

That service in the hospital be counted as service afloat.



That no officer be appointed to any office after he has attained the age of fifty-five years.

That the office of lieutenant-governor be abolished, and that, in lieu of the present captains, commanders, lieutenants, and masters, there be appointed to the hospital such number of captains and lieutenants as may be required, not exceeding one captain for every 1,000 pensioners, and one lieutenant for every 500 pensioners, exclusive of those in the infirmary and helpless wards.

That the office of adjutant be performed by one of the lieutenants, who shall receive the highest rate of pay of a senior lieutenant in one of your Majesty's ships.

In continuing the office of "Governor" of the hospital, the commissioners recommended that he be selected, as heretofore, from the most distinguished officers of the royal navy.

They proposed that he be of naval rank not inferior to that of vice-admiral; that he be styled "Governor and Visitor of Greenwich Hospital;" that he be relieved of the duty of residence and all active duties, except those which the Admiralty may call on him to perform in his capacity of visitor; that he be provided with furnished apartments for occasional visits; and receive from the hospital a salary not exceeding 1,000*l.* a year, without forfeiting his half-pay or any pension or other emolument which he may derive from the Crown.

That the civil commissioner receive from the hospital a salary of not less than 800*l.* a year, with a suitable residence in the hospital, but no other allowances of any kind.

That the remaining commissioner, the director-general of the navy, receive from the hospital a salary not exceeding 400*l.* a year, and no other allowances.

That in the case of the absence at any meeting of the council of the admiral-superintendent, the director-general, or the civil commissioner, the place of the first-named commissioner be supplied by the senior officer of the military department; the place of the second-mentioned commissioner be supplied by the senior medical officer of the hospital: and the place of the civil commissioner be supplied by the secretary, such substituted officer being entitled to receive the sum of one guinea for each attendance, to be deducted from the salary of the officer whose office such substituted officer shall fulfil; but that the presence of two commissioners, either official or salaried, be necessary to form a council.

That all the changes suggested in the Report of Mr. Hoffay, appended hereto, be forthwith introduced.

That the restrictions on the selection of officers and persons for any employment in the hospital imposed by the charter of 1809, and by the Act of 1829 be removed.

That the clerks form one establishment; that upon a vacancy occurring in the offices of cashier, steward, or clerk of the cheque it be filled up from amongst the clerks, if there be one fitted for the post, the Admiralty taking from him such security (if any) as they may think fit; that the secretary exercise a superintending control over all the branches of the civil establishment, and that upon the occurrence of any vacancy in his office, great care be given that his successor be specially versed in the duties to be there performed.

That, in introducing the new system delineated by Mr. Hoffay, some one conversant with accounts, and practically well acquainted with book-

keeping, be for a year or other limited period, attached to the civil department of Greenwich Hospital, and that a full discretion be allowed him in the organization of the department.

That the present staff of civil officers and clerks be at once reduced by five, and the clerkship now vacant be not filled up; and that the five most advanced in years of the present civil officers and clerks be selected in making this reduction: that special instructions be given to the officer attached to the hospital for the purpose of organization, to examine and report, whether it would not be for the interests of the hospital that a further reduction in the number of clerks be made.

That, as vacancies occur in the civil offices above mentioned, the salaries and allowances be reduced to the following scale:—Secretary, 500*l.* a year; cashier, 450*l.* a year; steward, 450*l.* a year; clerk of the cheque, 450*l.* a year; and that no official residence, or allowances of any kind, be attached to any of those offices.

That the salaries of the clerks remain at their present standard; but that the salaries of the junior clerks begin to rise after their first year of service; and that the salary of the chief clerk employed upon the book-keeping be at once advanced to the maximum of the class to which he belongs.

That no clerk be admitted in future without passing the examination of the Civil Service Commissioners.

That for the future there be only one inspector of works; that the stores of all kinds be diminished; that the steward and inspector of works see to the receipt of all stores in person; and that the two warehousemen and two store-receivers now employed be dispensed with.

That the inspector of works, having charge of the fire-engines and being responsible for their use, be allowed an official residence, but no other allowances of any kind.

That the office of assistant secretary be abolished.

That the brewery and the office of master baker be abolished.

That the mates of the victualling be discharged, and that, in the event of a vacancy in the office of superintendent of halls, the duties be performed by one of the lieutenants: and that no officer be appointed to the household establishment except he be at a period of life and in a state of health and strength enabling him to discharge the duties assigned to him, and that such duties be uniformly discharged by him in person.

That the medical officers be appointed for five years only, and receive during that period from the hospital the full pay of their respective ranks, suitable house accommodation, and a commuted allowance, to be settled by the Admiralty, for rations, servants, and other necessities, but no other allowances of any kind; and that their service in the hospital be counted as service afloat.

That, for the future, the discipline of the wards be conducted under the supervision of the captains and lieutenants, by warrant officers of the royal navy, appointed to the hospital on account of their special fitness for such duties, and that their service in the hospital be counted as service afloat; that at the time of their appointment these officers be not more than fifty-five years of age; that they be appointed for five years; and that during that time they be provided with suitable apartments, for themselves and their wives (if they be married), and receive from the hospital the full pay of their rank, a commuted allowance in lieu of rations and other necessities, but no other allowances of any kind.

That the number of these warrant officers be one for every 250 pensioners, exclusive of those in the infirmary or helpless wards: and that, so far as the building will allow, they be furnished with apartments in proximity to the wards placed in their charge.

That all the offices of boatswains and boatswains' mates of the hospital be abolished; that the mainguard and the charge of offenders and the maintenance of order at the pay office be committed to the police; that the duties to be performed in the painted hall, chapel, and kitchens, be otherwise provided for; and that all other duties now falling to the boatswains and boatswains' mates be discharged by the warrant officers or lieutenants of the hospital.

That the practice of allowing the officers of the hospital to purchase articles from the hospital stores be altogether discontinued.

That the sinecure offices of matron be abolished; and that in lieu of the ladies, who now occupy those positions for the wards, one efficient working matron be appointed, at a salary of 70*l.* a year; and that the office of matron of the infirmary be not filled up.

That the situations of nurses of the wards as at present constituted be abolished.

That, in regulating the number of nurses and sick-attendants for the helpless wards and infirmary, a due proportion to the number of patients be observed.

And that the domestic service of the hospital be entirely performed by servants hired for that purpose.

With regard to the resources of the hospital we recommend:—

That the half-pay of the military and medical officers of Greenwich Hospital be carried to the account of the hospital.

That the out-pensions of men admitted as pensioners be carried to the account of the hospital.

That the whole freight money payable for the conveyance or custody of treasure on board your Majesty's ships, under regulations for the indemnity of the officers in charge, be carried to the account of the hospital.

That the collection of fees at the painted hall and chapel cease, and that the public be freely admitted.

That the accumulation and payments to the account of an insurance fund cease, but that the buildings of the hospital be at once insured against fire in some of the principal insurance companies. The commissioners were informed by an actuary of eminence, whom they have consulted, that this might be effected in the sum of 200,000*l.*, at an annual premium of 150*l.*

They were advised by the same authority, that, in order to secure the present available income of the hospital against any possible falling off in future years, by failure of the Alston Moor Mines, it will suffice to accumulate, by investment out of income, a reserve fund amounting to 177,778*l.* Bank annuities. This calculation is based on the assumption that the present net produce of those mines amounts to 8,000*l.* a year, and that, by the Admiralty order of the 20th of November, 1833, one-third of that net produce ought to be annually invested, to accumulate at compound interest, leaving two-thirds alone available for the current yearly expenditure. The fund, already accumulated in pursuance of the above order, now amounts to 121,158*l.* 5*s.* 6*d.*, 3*l.* per cent. reduced. The insurance fund, the discontinuance of which we have just recommended, has also been accumulated out of income, and now amounts to 45,865*l.* 17*s.* 8*d.*, new 3*l.* per cents.

The commissioners recommended that these two funds be blended and form one reserve fund; that a portion of the dividends accruing from that reserve fund, to the yearly amount of 2,667*l.*, or one-third of the estimated net annual produce of the Alston Moor Mines, be invested from time to time, and added to the reserve fund, until the total amount of 177,778*l.* Bank annuities shall be accumulated; that no other payments out of income be carried to that reserve fund; and that subject to the above recommendation, the entire income of the reserve fund be applied to the general purposes of the hospital.

They recommended that the income of the hospital be increased by the more fruitful employment of a portion of the property now invested in the public funds.

The policy of selling the northern estates has been to the commissioners a subject of anxious consideration. They considered it purely as a question of investment, without regard to the political and social influences attached to the ownership of land.

Viewed in such a light, it presents several aspects:—

In favour of sale, are the admitted costliness of the management and maintenance of all landed property; the difficulty, in any case, of selecting an agent of the varied ability and experience which the diversified character of the property in question, mineral and agricultural, requires; the aggravation of that difficulty, where the selection is to be made by Government, necessarily exposed to the pressure of political influences; the unfitness of any public body to perform themselves the duties of landowners to distant estates, and the probability of an immediate increase of revenue if the estate sold well; against the policy of selling is the risk of eventual loss of income, when, in the progress of years, the proceeds from the land may be expected to exceed in value the income derivable from a continued pecuniary investment of the purchase money.

The sale, about twenty-five years since, of portions of the estates containing minerals has proved unfortunate for the interests of the hospital. Had those particular properties been retained, their produce now would far exceed the income of the money for which they were sold. In Langley Barony and in Alston Moor there are explorations now in progress which promise to be successful.

The commissioners were not prepared to advise the sale, at the present time, of the whole of these estates; but, considering their wide extent and varied character, and that the proper management of them demands a rare combination in the manager of activity and knowledge, they recommended that the outlying portions be sold, whenever they can be sold well, so that the great body of the property, being concentrated, may be more easily and economically managed.

With respect to the schools they recommended—

That all children, male and female, of or dependent upon the pensioners and servants of the institution be entitled to receive a gratuitous education in the Greenwich national schools.

That a sum of money for the extension of the Greenwich national school accommodation be paid out of the funds of Greenwich Hospital, due care being taken to provide that education in those schools be insured to all the children connected with Greenwich Hospital: that, when this arrangement is complete, the present pensioners' school be abolished.

That the present system of nomination by patronage to the upper school be discontinued, and the upper school itself be entirely remodelled.

That the lower school be raised to its former number of 800, and that admission to it be based, as at present, on the claims which the parents may have earned to a gratuitous and superior education for their children at the public expense.

That those claims be submitted, together with the name of the candidate, to a committee of selection.

That the committee of selection consist of the senior captain, the principal medical officer, and the secretary of Greenwich Hospital.

That the cause of acceptance or rejection of any candidate whose name may have been submitted to the committee be duly recorded, and that the record be weekly submitted by the secretary to the admiral-superintendent for his approval.

That the candidates for admission be between the ages of eleven and twelve years, be physically fit for the sea service, and be able to write correctly an easy sentence from dictation, and to satisfy the examiners that they possess a competent knowledge of numeration and of the four first rules of arithmetic, both simple and compound; that the boys be discharged from school at fourteen years of age; and that a bond be taken, as at present, upon admission, that they shall serve, if approved, in your Majesty's navy, when their education in the lower school is complete, unless, as hereinafter provided, they succeed by their talents, industry, and good conduct, in obtaining admission to the upper school.

That the committee of selection be instructed to consider the claims of candidates in the following order:—

#### CLASSIFICATION FOR ADMISSION OF BOYS TO GREENWICH HOSPITAL SCHOOLS.

1. Orphans—Both parents dead; father killed, drowned, or deceased, in her Majesty's sea service, or while employed by her Majesty on board a merchant ship, or in action with any enemy, pirate, or rebel.

2. Orphans—Father killed or drowned in her Majesty's sea service, or while employed as above; mother living.

3. Orphans—Father deceased in her Majesty's sea service, or while employed as above; mother living.

4. Sons—Father wounded or maimed in her Majesty's sea service, preference being given, first, to those whose mothers are dead; secondly, according to father's length of service.

5. Sons of officers or warrant officers not included in the before-mentioned classes.

6. Sons—Father serving and mother dead, according to rating and length of service of father.

7. Sons of pensioners according to class—not already included.

8. Sons—Father serving her Majesty afloat, the family being numerous, and in need.

9. Sons of seamen and marines who have earned an out-pension.

10. Sons of seamen and marines serving.

11. Sons of seamen registered in any way to serve her Majesty.

12. Sons of seafaring persons, whose claims shall be judged of by the committee of selection.

That in case there shall at any time be vacancies in the school which the committee are unable to fill from these classes they be empowered, with the approval of the admiral-superintendent, to admit able-bodied boys who

appear eligible for her Majesty's service; such boys, however, in no case to be preferred to the sons of seafaring persons.

In remodelling the upper school, we recommend that it be called the Upper Nautical School of Greenwich.

That the numbers of it be limited to 250.

That of this number 200 be admitted by competitive examination from the lower school.

That not more than 50 of these boys be admitted half-yearly.

That twenty-five nominations be once in every year publicly competed for throughout the United Kingdom, and that if from any cause the number promoted from the lower school during the previous year does not amount to one hundred, the vacancies so caused be added to the number of vacancies given for public competition.

That examination papers be issued by the head master of Greenwich school, and submitted through the Council of Education to the various candidates desirous of competing; that the examination be held under the control of the Government inspectors of schools; and that the papers containing the work and its result be transmitted to Greenwich, when the head master will select the pupils solely according to the merits of the papers so transmitted.

That all boys, when admitted to the upper nautical schools, be in their 14th year, and that they be discharged on completing their 16th year.

That the instruction there imparted be similar to that now given in the nautical school.

That the pupil-teachers continue to receive special instruction.

That they be selected from the best pupils of the upper nautical school desirous of becoming pupil-teachers.

That they remain in that capacity for two years; that their number be not more than twenty-four, and that they receive, during those two years, a small weekly allowance for pocket-money, and at the end of the second year 25*l*.

After anxious consultation with various competent authorities, the commissioners recommend that the classification and staff of the schools be as follows:—Upper nautical school, 250 boys; one head master, two masters, four assistant-masters. Lower school, four masters and twenty pupil-teachers.

That in the upper school the second and third classes be entire classes, each under one master, assisted by two other masters, to be subdivided for teaching purposes as occasion shall require; and that promotion of the boys from class to class be regulated by periodical examinations.

That in the lower school there be no promotion from division to division, but that the four divisions be co-ordinate, each being subdivided into classes for teaching purposes; and that the boys in the four divisions compete together at the half-yearly examinations for admission to the upper school.

That, in case the expenditure of the schools be found capable of reduction to the extent which we have above considered to be practicable, and the funds of the hospital be sufficient for the purpose, a further division of 200 boys be hereafter added to the lower school.

That the boys, advanced from the lower school to her Majesty's navy, be placed for a year in training-brigs, to complete that course of education practically which they had commenced theoretically at Greenwich school.

That such lads as, on leaving school, do not enter her Majesty's service

do not as now receive an outfit: and that the rule, which prohibits any boy educated at Greenwich school from being employed, when in the navy, as a servant, or in any menial capacity whatever, be rigidly enforced.

The commissioners engaged Mr. Hawkins, the architect of the Committee of Council on Education, to draw up a report and estimate of the necessary alterations in the school buildings, and additions to them.

No person should have quarters within the school buildings who is not directly connected with the school. The space gained by the removal of the senior naval commissioner and the secretary will not suffice for that increased accommodation which is essential to the health of the pupils, and to the due subdivision of the building for educational purposes. This is explained by the report of Mr. Hawkins; but the commissioners observed that the space now allowed in the dormitories is considerably less than half of that which has been ascertained to be favourable to health.

They recommended that the changes, suggested in the report of Mr. Hawkins, be adopted.

They concurred in most of the recommendations of the committee of 1859, differing from them chiefly on the questions of remodelling the upper school, and compulsory service of the boys in her Majesty's navy.

They urged this last point as one of great importance to the naval power of the country. They thought that the country may justly claim the services of those to whom it has afforded so good and gratuitous an education. They therefore recommended that, after their probationary service as boys is concluded, they be bound to serve the country afloat for ten years, as seamen. By this means the boys, on their entrance into the world, will be honourably provided for, and the navy will receive a class of well-conducted, useful, and intelligent seamen.

They recommended that, at the expiration of their education, the pupils of the upper school be permitted to adopt such profession as they may select; but that the Lords Commissioners of the Admiralty increase as far as possible the number of appointments to the navy to be assigned as prizes to the Greenwich schools. No better masters' assistants, clerks' assistants, engineers' apprentices, or seamen schoolmasters, are likely to be obtained than from amongst the boys in the upper nautical school of Greenwich; whilst the present scarcity of naval instructors might be remedied by the more frequent admission of Greenwich pupil-teachers to that office.

It is undesirable to fetter the hands of the head master by framing rules for the management of the schools; but we hold that such management ought to be supreme over the discipline and the internal economy as well as the instruction.

In recommending an appointment, which must alter the relations of those in authority in the schools, we are desirous of recording our esteem for the character and attainments of the Rev. Principal Fisher, to whom, we are aware, is due much of the present high standard of nautical education for which the Greenwich schools are famous. Yet, when a new system is being inaugurated, we think it a right occasion for permitting him to retire with a provision adequate to his meritorious service.

The commissioners recommended that the utmost solicitude be given to the selection of a fit person to fill the office of head master; that he be a graduate of one of the universities, who has attained high mathematical honours.

That as supreme over the establishment, he be entirely responsible for the whole care and management of the schools: that the several masters,

the instructors in professional exercises, and the various subordinate officers and servants be selected by him, be responsible to him, and be within his power of dismissal, subject necessarily to the concurrence of the Admiralty.

That the rules for the management of the schools be prepared by the head master, and submitted by him to the Admiralty, for sanction or modification.

That in future, with the sole exception of the head-master, the masters and assistant masters of Greenwich Schools be selected from the certificated masters of the Council of Education.

That, in addition to the above staff, a managing superintendent be appointed by the Admiralty, specially experienced in the duties of such superintendence, who shall be subordinate to the head master, and who shall, under the head master, have full power over the whole domestic economy of the schools, and shall be held, together with the head master, directly responsible for the efficient and careful expenditure of the funds appropriated to the schools.

That the scale of salaries be as follows:—Head master, 500*l.* rising by 20*l.* a year to 700*l.*; superintendent, 250*l.* rising by 10*l.* a year to 350*l.*; masters of the upper school, 150*l.* rising by 5*l.* a year to 200*l.*; masters of the lower school, 100*l.*, rising by 5*l.* a year to 150*l.*; assistant-masters of the upper school, 70*l.* rising by 3*l.* a year to 100*l.*

That they all receive lodging, and, except the head master, board; and in case the superintendent be a medical man, experienced in the treatment of children, that he be the medical officer of the schools, and receive in addition to the above a further salary of 100*l.* a year.

Although much more will depend upon the man selected for the office of head master than on any rules for his guidance, still some points may be indicated to which his attention should be drawn.

The discipline of the schools should be entirely in his hands, and the punishment of flogging entrusted to no discretion but his.

The long continued drills for punishment which seem to have been here adopted should not be continued; they should never exceed one hour a day.

Deprivation of indulgencies for trivial offences, together with the minor punishments usually in force in public schools, and expulsion in extreme cases would afford a judicious head master sufficient means for maintaining discipline and order.

The subjects of study in the lower school should include reading, writing, arithmetic, the elements of algebra, of Euclid and trigonometry; and, so far as they can be taught by models, practical mechanics, the common mechanical powers, the simple laws of fluid pressure, the theory of the pump, and the use of the steam-engine. Gunnery and seamanship, including knotting and splicing; the names of the parts of a ship and the rigging; and the great gun, cutlass, and musket exercise should be taught: and advantage should be taken of the tailors' and shoemakers' shops attached to the schools, and of the washing establishment heretofore recommended, to instruct the boys in those respective occupations to such a point that they be able afterwards to mend their own clothes and boots, and wash their own linen when at sea.

The course of study in the upper nautical school is less easy to prescribe, but there the time and attention should be directed, as at present, to those special studies which fit the pupils to become navigators or engineers.

We strongly advise that the boys have access, as to a playground, to



that portion of Greenwich Park which lies between the Observatory and the school; that the space now occupied by the gardens of the Governor and other officers be added to the present playground, and that the enclosure round the ship be thrown open. During play hours every manly sport and diversion should receive encouragement and approbation. Swimming and gymnastic exercises should be taught; and, in addition to the exercise aloft on the model ship,

The finances of the hospital were set down by the Commissioners as follows:—They contemplated an increase of income from three sources. 1st. The half-pay of the military and medical officers, 3,171*l*. 2nd. Outpensions, which may be surrendered, 23,000*l*. 3rd. Three-fourths of freight-money, 6,000*l*. and additional rental, &c., 32,440*l*. And this sum, with 28,387*l*., surplus of 1859, and 20,854*l*., proposed reduction of expenditure, make the total resource to amount to 81,681*l*. The expenditure was proposed as follows:—Maintenance of increased number of men, 15,194*l*.; increased money-allowances, 10,544*l*.; pensions to warranted nurses, 1,070*l*.; allowances to wives and children, 38,032*l*.: total, 64,840*l*., leaving a balance to meet the commuted allowances and the superannuation allowances to retiring officers of the amount of 16,841*l*. The Commissioners further recommended an immediate outlay of capital in providing lodgings for married pensioners and their families.

Three different modes of carrying this object into effect have been suggested:—1st. Model lodging-houses or buildings containing within them independent accommodation for several families, and so arranged that propriety, cleanliness, and sanatory objects are amply provided for. 2nd. The conversion of a portion of the present fabric of the hospital into convenient dwellings for families. 3rd. The partial reconstruction and improvement, for similar purposes, of some of the houses owned by the hospital in the town of Greenwich.

The Commissioners thought it might be desirable to provide accommodation for 100 families in each of these three several modes. The best description of dwelling would, of course, be appropriated to the use of the families of pensioners of the first class. They suggested these three distinct kinds of dwellings should be provided for the reception of the pensioners and their families, so that the authorities of the hospital may adopt for further extension that kind which, upon adequate experiment, is found best adapted to the purpose in view. The necessary alterations in the buildings of the schools will require an immediate outlay of 31,200*l*. Further expense will be incurred, if a laundry and gasworks be constructed for the purposes of the hospital. Inasmuch, however, as the sums so expended will give rise to a great saving of annual expenditure, such an outlay ought to be considered merely as a profitable change of investment. To sum up, the Commissioners recommended an immediate outlay of capital to the following amount:—For model lodging-houses, 17,000*l*.; for lodgings in the hospital, 8,000*l*.; for lodgings in the town, 6,000*l*.; for school buildings, 31,200*l*. Total immediate outlay, 62,200*l*.

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# PUBLIC GENERAL STATUTES.

23° & 24° VICTORIÆ, 1860.

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## SERIES B.—DIPLOMACY AND WAR.

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### UNITED KINGDOM.

#### ARMY MUTINY AND DESERTIONS.

CAP. IX.—*An Act for punishing Mutiny and desertion and for the better payment of the Army and their Quarters.* (31st March, 1860.)

#### ROYAL MARINE FORCES.

CAP. X.—*An Act for the regulation of Her Majesty's Royal Marine Forces while on Shore.* (31st March, 1860.)

#### SOLDIERS' LETTERS.

CAP. LXV.—*An Act to authorize the Commissioners of the Treasury to further regulate the Postage on re-directed Letters of Commissioned and Warrant Officers, Seamen and Soldiers whilst on actual service.* (13th August, 1860.)

#### NAVAL DISCIPLINE.

CAP. CXXIII.—*An Act to amend the Laws relating to the Government of the Navy.* (28th August, 1860.)

### GREAT BRITAIN AND IRELAND.

#### MILITIA.

CAP. XCIV.—*An Act to amend the Law relating to the Militia.* (13th August, 1860.)

#### FORTIFICATIONS.

CAP. CIX.—*An Act for defraying the Expenses of constructing Fortifications for the protection of the Royal Arsenals, and Dockyards, and the parts of Dover and Portland, and of creating a Central Arsenal.* (28th August, 1860.)

The sum of 2,000,000*l.* to be issued out of the Consolidated Fund towards the expenses in constructing fortifications and providing a central arsenal. The Treasury to raise 2,000,000*l.*, by creating annuities for a term not exceeding thirty years.

## DEFENCE OF THE REALM.

CAP. CXII.—*An Act to make better provision for acquiring Lands for the defence of the Realm.* (28th August, 1860.)

## MILITIA BALLOTS.

CAP. CXX.—*An Act to amend the Laws relating to the Ballot for the Militia in England, and to suspend the making of Lists and Ballots for the Militia of the United Kingdom.*

## MILITIA CLOTHING.

CAP. CXXXIII.—*An Act to defray the Charge of the Pay, Clothing and Contingent and other Expenses of the disembodied Militia in Great Britain and Ireland, to grant allowances in certain cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons' Mates of the Militia: and to authorize the employment of the Non-Commissioned Officers.* (28th August, 1860.)

## GREAT BRITAIN.

## VOLUNTEER CORPS.

CAP. XIII.—*An Act to prevent the Members of Benefit Societies from forfeiting their Interest therein by being enrolled in Yeomanry or Volunteer Corps.* (31st March, 1860.)

## RIFLE VOLUNTEERS CORPS.

CAP. CXL.—*An Act for facilitating the acquisition by Rifle Volunteer Corps of Grounds for Rifle practice.* (28th August, 1860.)

## ENGLAND.

## RIGHT OF WAY.

CAP. XLIX.—*An Act for extinguishing certain Rights of Way through Colewort Barracks in the Borough of Portsmouth.* (23rd July, 1860.)

## PUBLIC GENERAL STATUTES.

23° &amp; 24° VICTORIÆ, 1860.

## SERIES A.—FINANCE, COMMERCE, AND AGRICULTURE.

## UNITED KINGDOM.

## CONSOLIDATED FUND.

CAP. II.—*An Act to apply the sum of 407,649*l.* out of the Consolidated Fund to the Service of the year ending the 31st day of March, 1860.* (12th March, 1860.)

CAP. III.—*An Act to apply the sum of 4,500,000*l.* out of the Consolidated Fund to the Service of the year 1860.* (23rd March, 1860.)

CAP. XII.—*An Act to apply the sum of 850,000*l.* out of the Consolidated Fund to the Service of the year ending the 31st day of March, 1860.* (31st March, 1860.)

## EXCHEQUER BILLS.

CAP. XX.—*An Act for raising the sum of 13,230,000*l.* by Exchequer Bills for the Service of the year 1860.* (15th May, 1860.)

## CUSTOMS.

CAP. XXII.—*An Act to amend the Laws relating to the Customs.* (15th May, 1860.)

The duty on chicory to be 6*s.* the cwt.; the duty on wines, until the 31st December, 1860, to be 3*s.* the gallon, and from the 1st of January, 1861, to be as follows:—Wine containing less than the following rates of proof spirit, verified by Sykes' hydrometer, of and from foreign countries, red and white, eighteen degrees, 1*s.*; twenty-six degrees, 1*s.* 6*d.*; forty degrees, 2*s.*—and if imported in bottles, 2*s.* The duties on the following imported articles to cease:—Agates, apples, arms, brass, brocade, bronze, canes, manufacture of Coutchouc, raw cherries, china, clocks, corks, cotton manufacture, earthenware, embroidery, feathers, flowers, fruit, grapes, gutta percha, hair, hats, iron and steel, jewels, lace, lead manufacture, leather manufacture, gloves, linen manufacture, lucifers, medlars, morphia and its salts, musical instruments, oil of almonds, oil, opera glasses, pears, percussion caps, perfumery, quinine, silk manufacture, stays, sulphuric acid, toys, turnery, watches, and woollen manufactures. Until the 31st March, 1862, the duty on corks, ready made, was fixed at 3*d.* per lb., and on hats 1*s.* 3*d.*; and until the 1st August, 1860, the duty on gloves at 1*s.* 2*d.* to 2*s.* 3*d.*;

and from and after these dates, respectively, the duties to cease. Printed and painted paper was charged 14s. per cwt., and pasteboard 15s. per cwt., from the 6th March to the 15th August, 1860. The duty on spirits, 8s. 6d., and spirits from British possessions, 8s. 3d.; spirits for perfumery, 12s.; spirits and water, Eau de Cologne, &c., 5d. the flask. The following customs duties to cease after the 7th March, 1860:—Almonds, ammunition, baskets, beads, boxes, butter, candles, cheese, cinnamon, cloves, coculus indicus, copper manufacture, coral negligees, daguerreotype plates, dates, eggs, extracts of liquorice, opium, &c., ginger, glass (flint), gongs, grains (Guinea and paradise), japanned or lacquered ware, liquorice, mace, mustard, nutmegs, nuts, nux vomica, oilcloth, onions, opium, oranges and lemons, pears, pewter, pimento, plating, pomatum, quassia, rice (Salacene), sauces, scale-boards, seeds (caraway), ships (foreign built, broken up, or sold to be broken up), soap, soy, spa ware, spelter or zinc, stearine, tallow, tin, veneers, washing balls, and yarn. The duties on the following articles to be as follows:—Plate of gold, 17s. the oz. troy; plate of silver, 1s. 6d. the oz. troy; hair-powder, 4½d. the cwt.; vermicelli and macaroni, 4½d. the cwt.; currants, 7s. the cwt.; figs, 7s. the cwt.; fig cake, 7s. the cwt.; raisins, 7s. the cwt. From the 1st April, 1860, to the 1st July, 1861, the duties on the following articles to be as follows:—Tea, 1s. 5d. the lb.; cherries, comfits, confectionery, &c., 2d. the lb.; sugar candy, 18s. 4d. the cwt.; white clayed sugar, 16s. the cwt.; yellow Muscovado, 13s. 10d. the cwt.; brown Muscovado, 12s. 8d. the cwt.; cane juice, 10s. 4d. the cwt.; molasses, 5s. the cwt.—a drawback to be allowed on refined sugar exported of 17s. 2d., 16s. 4d., 15s. 1d., and 12s. 8d. the cwt., according to the export standard. The duties on wood and timber, hewn, to be 1s., and sawn and split, 2s. the load. The duty on foreign and colonial ships, on the registration thereof as British ships, to be 1s. for every ton of the gross registered tonnage. In addition to the customs duties, there shall be paid on the delivery of goods from warehouse for home consumption, 5s. for every 100l. of customs duty payable on the goods upon such goods as shall not have been removed under bond, and 10s. upon such goods as shall have been so removed; but on tobacco, 2s. 6d. and 5s. respectively. A duty of 1d. per package or parcel to be paid on all goods imported, and a customs duty of 1s. 6d. upon every bill of lading of goods exported. The bill of lading to be deemed the entry outwards of free goods, but not to include more than one consignment. Exporters shipping goods without a bill of lading to incur the penalty of 20l. Certain bills of lading not to be valid without the stamp of the value of 1s. 6d., and other bills of lading not to be valid without the stamp of 6d. already imposed by law.

#### CONSOLIDATED FUND.

CAP. XXV.—*An Act to apply the sum of 9,500,000l. out of the Consolidated Fund to the Service of the year 1860. (25th May, 1860.)*

#### BONDED WAREHOUSES.

CAP. XXXVI.—*An Act to authorize the appointment and approval of Places for the warehousing of Goods for the security of Duties of Customs. (23rd July, 1860.)*

Powers given to the Commissioners of the Treasury to appoint Manchester, Birmingham, Leeds, and Sheffield, and such other places as they may see

fit, to be warehousing places. The warehouses to be for public accommodation, and to be of approved dimensions, and to be within 1,000 yards of custom houses.

## SUPERANNUATION.

CAP. LXXXIX.—*An Act to extend in certain cases the Provisions of the Superannuation Act, 1859.* (13th August, 1859.)

The Superannuation Act, 1859, to extend to cases of joint service in the office of Secretary of State for India and in the permanent civil service.

## CONSOLIDATED FUND.

CAP. CIII.—*An Act to apply the sum of 10,000,000*l.* out of the Consolidated Fund to the Service of the year 1860.*

## CUSTOMS.

CAP. CX.—*An Act to consolidate the Duties of Customs.* (28th August, 1860.)

The following duties are to be charged on the importation of the following articles:—Beer, 1*s.* per barrel; cards, for playing, 15*s.* the dozen packs; chicory, raw or kiln dried, 6*s.* the cwt., roasted or ground, 4*d.* the lb.; chloroform, 3*s.* the lb.; cocoa, 1*d.* the lb.; coffee, 4*d.* the lb.; corks, until the 31st March, 1862, 3*d.* the lb.; grain, 1*s.* each qr.; flour, and meal, 4½*d.* the cwt.; dice, 1*l.* 1*s.* the pair; fruit, 7*s.* the cwt.; essence of spruce, 10*l.* per 100*l.*; hats, until 31st March, 1861, 1*s.* 3*d.* the lb.; hops, from 1st January, 1862, 15*s.* the cwt.; malt, 1*l.* 5*s.* the quarter; paper, brown, 16*s.* the cwt.; printed, 14*s.*; books, 16*s.* the cwt.—admitted under the treaties of international copyright, 15*s.* the cwt.; pepper, 6*d.* the lb. and 5 per cent.; plate, gold, 17*s.* the ounce troy; silver, 1*s.* 6*d.* the ounce troy; ships, built of wood, 1*s.* the ton; spirits, 10*s.* 5*d.*; rum, 10*s.* 2*d.*; sugar candy, 18*s.* 4*d.* the cwt.; white clayed, 16*s.* the cwt.; brown clayed, 12*s.* 10*d.* the cwt.; molasses, 5*s.* the cwt.; tobacco, 2*s.* 7½*d.* the lb. and 5 per cent.; wine, till 31st December, 1860, 3*s.* the gallon, and afterwards according to degree of strength; wood and timber, 1*s.* and 2*s.* per load; furniture wood, 1*s.* the ton; rates and charges on importations, 1*d.* on every package.

## SPIRITS.

CAP. CXIV.—*An Act to reduce into one Act and to amend the Excise Regulations relating to the distilling, rectifying, and dealing in Spirits.* (28th August, 1860.)

CAP. CXXIX. *An Act to grant Excise Duties on British Spirits imported from the Channel Islands.* (28th August, 1860.)

The duty on British spirits to be 8*s.* per gallon on and after the 29th February, 1860, and 10*s.* per gallon on and after the 17th July, 1860. On spirits manufactured in the Channel Islands, the duties to be 8*s.* 6*d.* per gallon on and after the 28th March, 1860, and 10*s.* 5*d.* the gallon on and after the 17th July, 1860. Certain allowances granted on the exportation of British spirits.

## CONSOLIDATED FUND.

CAP. CXXXI.—*An Act to apply a sum out of the Consolidated Fund and the surplus of Ways and Means to the Service of the year 1860, and to appropriate the Supplies granted in this Session of Parliament.* (28th August, 1860.)

## EXCHEQUER BONDS.

CAP. CXXXII.—*An Act for raising the sum of 2,000,000*l.* by Exchequer Bonds and Exchequer Bills for the Service of the year 1860.* (28th August, 1860.)

## GREAT BRITAIN AND IRELAND.

## INCOME TAX.

CAP. XIV.—*An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices.*

Grant of 10*d.* for every pound of the annual value or amount of all property, profits, and gains, and a duty of 5*d.* in England, and 3*d.* in Scotland and Ireland, for and in respect of the occupation of land, &c., under Schedule B. Persons having incomes under 100*l.* a year exempted, and those whose income is less than 150*l.* a year to be charged 7*d.* for every 20*l.* of his profits or gains.

## STAMP DUTIES.

CAP. XV.—*An Act for granting to Her Majesty certain Duties on Stamps.* (3rd April, 1860.)

The existing duties on certain instruments described in the schedule were repealed, and new duties were granted. Personal estates appointed by will under general powers to be chargeable. Probate, and inventory duties in respect thereof, to be chargeable on the property. Money secured on heritable property and by heritable bonds, in Scotland, to be chargeable with probate and inventory duties; but testamentary dispositions, in Scotland, not to be chargeable with stamp duty. Certain duties in the schedule to be denoted either by impressed or adhesive stamps. The persons making the instruments to affix adhesive stamps, and cancel the same; and in default to be subject to a penalty of 20*l.* No charge for brokerage to be lawful unless the instrument, &c., shall be duly stamped; so the person requesting the entry of transfer of any share is to affix and cancel an adhesive stamp, and in default to be subject to a penalty of 20*l.* The stamps on foreign bills to be adhesive.

SCHEDULE.—*Agreement* for a lease or tack of any land subject for any term not exceeding seven years, the same duty as on a lease or tack for the term mentioned in such agreement. *Agreement* on any minute and memorandum of agreement, when the matter thereof shall be of the value of five pounds or upwards, 6*d.*; and when the same shall contain 2,160 words or upwards, then for every extra quantity 1,080 words, 6*d.*

*Bills of Exchange* for the payment of money exceeding 4,000*l.*, 10*s.* for every 1,000*l.*, or part of 1,000*l.*, of the money thereby made payable.

*Foreign Bills of Exchange*, drawn in a set of three or more, for the payment of money exceeding 4,000*l.*, 3*s.* 4*d.* for every bill of the set for every 1,000*l.* or part of 1,000*l.* Foreign bills of exchange, draft, or order drawn or indorsed out of the United Kingdom for the payment of money on demand, the same duty as an inland bill of exchange for the payment of money otherwise than on demand according to the amount thereby made payable. All bills, drafts, or orders for the payment by any banker of any sum of money though not made payable to the bearer or to order, and whether delivered to the payee or not, to be deemed to be bills or drafts chargeable with stamp duties. The exemptions are, drafts drawn by any banker for the purpose of settling or clearing any account, and any letter written by a banker to any other banker directing the payment of any sum of money when it is not sent to the person to whom such payment is to be made.

*Copy*, or extract, of or from any register, of births, baptisms, marriages, deaths, or burials, 1*d.*

*Cost Book, Mines*.—Any note, instrument, or writing, authorizing the purser or other officer of any mining company to enter or register any share in any mine, 6*d.* Declaration in lieu of an affidavit in any case the same duty as an affidavit.

*Delivery Order*.—Any writing or document commonly called a delivery order, entitling, or intended to entitle, any person to the delivery of any goods of the value of 40*s.* or upwards lying in any dock or port, or in any warehouse, 1*d.*

*Dock Warrant*.—Any warrant or document, by whatever name the same shall be designated, which shall evidence the title of any person therein named, or his assigns, to the property in any goods lying in any dock or warehouse or upon any wharf, 3*d.*

*Letter, or Power of Attorney*, for the sale, transfer, or acceptance of any Parliamentary stock or fund not exceeding 20*l.*, or for the receipt of any sum not exceeding 20*l.*, or dividend, or interest of any stock or fund of the annual sum of 10*l.*, 5*s.*

#### SIR JOHN BARNARD'S ACT.

CAP. XXVIII.—*An Act to repeal the Act of the 7th Year of King George II., chap. 8., commonly called "Sir John Barnard's Act," and the Act of the 10th Year of George II., chap. 8. (14th June, 1860.)*

From and after the passing of the Act the same Act is repealed.

#### FRIENDLY SOCIETIES.

CAP. LVIII.—*An Act to amend the Act of the 18th & 19th Years of Her Majesty, relating to Friendly Societies. (6th August, 1860.)*

In case of dissolution of any society under Section 13 of the 18th & 19th Victoria, c. 3, it is not necessary to state in the agreement the intended appropriation or division of the funds, but the same may be referred to the award of the registrar. The registrar's award to be conclusive without appeal. The registrar's annual report to contain particulars of awards. A penalty of 20*s.* for not making annual return to the registrar.

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## BLEACHING AND DYEING WORKS.

CAP. LXXVIII.—*An Act to place the employment of Women, Young Persons, and Children in Bleaching Works and Dyeing Works under the regulations of the Factories' Acts.* (6th August, 1860.)

The recited Act to apply to bleaching and dyeing works and to the employment of females, young persons, and children therein. Females and young persons may be employed until half-past four o'clock on Saturdays, and until eight o'clock on other days, but not so as to exceed in any period of six months, and part of another month, the total number of hours allowed by this Act. No females and young persons may be employed in such works after half-past four o'clock on Saturdays, or for more than nine hours on any Saturday, or more than twelve hours on any other day. Females and young persons may be employed during the night in case of suspension of employment by deficiency or excess of water in the stream, Saturday excepted. Occupiers who employ females and young persons according to the provisions of the Act to keep a regular register of them.

## DUTIES ON GAME CERTIFICATES.

CAP. XC.—*An Act to amend the Duties on Game Certificates and Certificates to Deal in Game, and to impose in lieu the Duties on Excise Licences and Certificates for the like purpose.* (13th August, 1860.)

On and after the passing of this Act the duties on licences and certificates to kill game to be as follows:—If taken out after the 1st April and before the 1st of November, to expire on the 5th April in the following year, 3*l.*; to expire on the 31st October in the same year, 2*l.* If taken out on or after the 1st November, to expire on the 5th April following, 2*l.* And for every licence to deal in game, 2*l.* Licences may be taken out on behalf of assessed servants acting as gamekeepers for persons having right to kill game, or under deputation from lords of manors.

## STAMP DUTIES.

CAP. CXI.—*An Act for granting to Her Majesty certain Duties of Stamps, and to amend the Laws relating to the Stamp Duties.* (28th August, 1860.)

The duties on foreign promissory notes to be denoted by adhesive stamps. Stamps required on contract notes and insurances and delivery order. The duty on awards to be 2*s.* 6*d.*, when the value of the matter in dispute does not exceed 50*l.*, and progressively 5*s.*, 10*s.*, 15*s.*, 1*l.*, 1*l.* 5*s.* and 1*l.* 15*s.*, when the value exceeds 1,000*l.* Contract note, 1*d.*; leases, assignments, or surrender of duty, equal to the *ad valorem* duty with which a similar lease is chargeable. Policy of insurance, 1*d.*, when the consideration does not exceed 2*s.* 6*d.*; 3*d.* when it exceeds 2*s.* 6*d.* and does not exceed 5*s.*; and 3*d.* when it exceeds 5*s.* Promissory notes for a sum exceeding 4,000*l.*, 10*s.* for every 1,000*l.* Foreign promissory notes made out of the United Kingdom, the same duty as an inland bill for the payment otherwise than on demand of money of the same amount.

## EXCISE.

CAP. CXIII.—*An Act to grant Duties of Excise on Chicory and on Licences to dealers in Sweets or Made Wines; also to reduce the Excise Duties on Hops, and the period of Credit allowed for payment of the Duty on Malt and Hops respectively; to repeal the exemption from Licence Duty of persons dealing in Foreign Wines and Spirits in Bond, and to amend the Laws relating to the Excise.* (28th August, 1860.)

The duty on chicory to be 5s. 6d. per cwt. after the 1st April, 1861. Licences to sell sweets or made wines, 5l. 5s. The period of credit for payment of excise duty on malt reduced.

## SAVINGS BANKS.

CAP. CXXXVII.—*An Act to make further Provision with respect to Moneys received from Savings Banks and Friendly Societies.* (28th August, 1860.)

The powers now vested in the Commissioners for the Reduction of the National Debt, in respect of all moneys remitted to them on account of Savings Banks, to extend to parliamentary securities.

## GREAT BRITAIN.

## PAWNBROKERS.

CAP. XXI.—*An Act to Amend an Act for better regulating the business of Pawnbrokers.* (15th May, 1860.)

Pawnbrokers may charge one halfpenny for notes describing things pawned under ten shillings. Payments for pawns of ten shillings or upwards to remain as before.

## MINES.

CAP. CLI.—*An Act for the Regulation and Inspection of Mines.* (28th August, 1860.)

No boy under twelve years of age to be employed in mines. A boy between the age of ten and twelve having certificates as to education and school attendance, may be so employed. Steam-engines not to be under the charge of persons under eighteen years of age. Power to the Secretary of State to appoint inspectors of mines, and special rules to be established for such inspection. Notice of all accidents to be given to the Secretary of State. In every colliery and ironstone mine the following rules to be observed:—An adequate amount of ventilation. All entrances to be properly fenced; safety-lamps to be securely locked; every shaft to be securely fenced; every working pit to be fenced; every working pit or shaft to be provided with proper means of communicating signals from the bottom of the shaft to the surface, and *vice versa*. All underground self-acting and engine-planes to be provided with means of signalling between

the stopping-places and the ends of the planes. A sufficient cover overhead to be used when lowering or raising persons in every working pit; no single-linked chain to be used for lowering or raising persons; flanges or horns of sufficient length or diameter to be attached to the drum of every machine for the purpose. A proper indicator to show the position of the load in the pit to be attached to every machine; every steam-boiler to be provided with a proper steam-gauge and safety-valve; the flywheel to be securely fenced; sufficient bore-holes to be kept in advance, and if necessary on both sides, to prevent inundations in every working approaching a place likely to contain a dangerous accumulation of water.

Special rules may be established for the conduct and guidance of the persons acting in the management of coal or iron mines. The owner of every iron and coal mine must frame and transmit such special rules to the inspector of the district; and such special rules may be amended from time to time. All the general and special rules must be painted on a board, or printed upon paper to be posted thereon, and the board must be hung up or affixed on some conspicuous part of the principal office or place of business at the mine. The inspector may enter, inspect, and examine any coal-mine, colliery, or iron-mine, and the works and machinery belonging thereto at all reasonable time by day or night. And if he find anything dangerous or defective, he must give notice of the same to the owner or agent of such mine or colliery. If the owner or agent object to remove or remedy the danger or defect, he may appoint an arbitrator, and give notice to the inspector of such appointment; and if such owner do not give such notice, he is liable to a penalty of one pound for every day. If the owner give such notice, and the matters in difference be determined by arbitration, then upon the delivery of the award, he must forthwith take proper measures for removing or remedying the danger or defect; and if he neglect to do it, he is liable to a penalty of one pound per day. The owner or agent of every coal-mine, colliery, or iron-mine must, for the purpose of inspection, produce and submit for examination to the inspector a map or plan of the workings of such coal-mine, colliery, or iron-mine, upon which there shall be delineated the several parts, air-courses, air-doors, water-ways, drains, pits, levels, and shafts in and connected with such mine; and if the owner do not produce the same, the inspector may require the same to be made on a scale of not less than two chains to one inch, or on such other scale as the plan then used in the mine is constructed on. In case of any loss of life or personal injury, the owner or agent must, within twenty-four hours, send notice of such accident to the Secretary of State and to the inspector of the district; and if he neglect to send such notice, he may be liable to a penalty of not less than ten pounds, and not more than twenty pounds. Notice must also be given to the inspector of the opening or abandonment, discontinuance or recommencement of working of any coal-mine, colliery, or iron-mine, as the case may be. Penalties were also established for offences against this Act, for obstructing inspectors, defacing notices, &c.

## ENGLAND.

## WINE LICENCES.

**CAP. XXVII.**—*An Act for granting to her Majesty certain duties on Wine Licences and Refreshment Houses, and for regulating the Licencing of Refreshment Houses and the granting of Wine Licences.* (14th June, 1860.)

From and after the 1st July, 1860, there shall be charged for every licence to keep a refreshment house, where the rent or value is under 20*l.* a year, 10*s.* 6*d.*; where the rent or value is 20*l.* a year or upwards, 1*l.* 1*s.* Where the refreshment house is to sell, by retail, foreign wine to be consumed on the premises; if the house be under the rent of 50*l.*, 3*l.* 3*s.*; if it be of 50*l.* or upwards, 5*l.* 5*s.* And where it is not to be consumed in the house or shop, if the house is under the rent of 50*l.*, 2*l.* 10*s.*; if 50*l.* and upwards, 3*l.* 3*s.* Every person keeping a shop is entitled to take out a licence to retail wine not to be consumed on the premises. Confectioners and eatinghouse-keepers entitled to take out licences to sell wine to be drunk on the premises. No person shall keep his house open nor suffer any wine to be drunk on the premises before five o'clock in the morning nor after twelve at night in London, or eleven at night in any other parish or city within the bills of mortality, nor after ten at night elsewhere.

## SCOTLAND.

## HERITABLE SECURITIES.

**CAP. LXXX.**—*An Act to Regulate the Levying and Collection of the Inventory Duty payable upon Heritable Securities and other Property in Scotland.* (6th August, 1860.)

Money secured on heritable property in Scotland, and Scottish bonds excluding executors, to be liable to inventory duty. The duty and interest thereon shall be a debt to her Majesty, to be payable by the person who shall take the money secured. A stamped special inventory to be lodged on oath with the solicitor of inland revenue. Money so secured may be added to inventory of personal or moveable estate. The special inventory provided by this Act, and the inventory of the personal estate of a deceased, containing also the property on which duty is imposed, shall be stamped with duty according to the value of the property contained therein at the time they shall be respectively sworn to, including the proceeds accrued thereon down to that time, and the duty or deficient duty according to such value and proceeds and interest thereon, at the rate of five per cent. per annum shall be a debt due to her Majesty by the person making oath to said inventories. The same for the inventory and the additional inventory of any person deceased. The Commissioner of Inland Revenue to grant a return of the said duty corresponding to a rateable apportionment of the amount by which the debts shall be proved to exceed the personal estate of the deceased between the amount contained in the special inventory and all the other heritable property of the deceased,

provided such return shall be claimed within three years. Intromitters and persons who shall have completed title, to be held to have taken money so secured. Money secured on land by absolute conveyance and adjudication, and otherwise shall, fall under the provision of the Act.

#### SCOTTISH HERRING FISHERIES.

CAP. XCII.—*An Act to Amend the Law relative to the Scottish Herring Fisheries.* (13th August, 1860.)

Commissioners may appoint superintendents of the fishery, and fix periods during which the herring fishery may not be carried on; and make regulations for the management and protection of the herring fisheries and preservation of order.

#### IRELAND.

##### VALUATION OF RATEABLE PROPERTY.

CAP. IV.—*An Act to enable the Commissioners of Her Majesty's Treasury to defray one Moiety of the Expense of the Annual Revision of the Valuation of Rateable Property in Ireland, out of the Consolidated Fund.* (23rd March, 1860.)

Power to the Treasury to advance such sums of money as they may think fit, towards the expense of annual revision of the valuation of rateable property in Ireland. The Treasury may appoint commissioners of valuation.

##### BANK OF IRELAND.

CAP. XXXI.—*An Act to Repeal a certain Enactment for Restraining the Governor and Company of the Bank of Ireland from Lending Money on Mortgages.* (3rd July, 1860.)

The provision of the 21 & 22 Geo. III., c. 16, s. 1, restraining the Bank of Ireland from lending money on mortgage was repealed.

##### ILLICIT DISTILLATION.

CAP. XXXV.—*An Act further to Amend an Act of the 18th year of Her present Majesty to Amend the Law for the better Prevention of the Sale of Spirits by unlicensed persons, and for the Suppression of Illicit Distillation in Ireland.* (23rd July, 1860.)

In case of appeals from informal orders of justices refusing licences, the justices at quarter sessions, or the recorder, may hear and determine the matter; and if the order of refusal be reversed, the excise officer may renew the licence.

## UNCLAIMED STOCK.

CAP. LXXI.—*An Act to make Provision as to Stock and Dividends Unclaimed in Ireland.* (6th August, 1860.)

The provisions of 56 Geo. III., c. 60, and 8 & 9 Vict., c. 62, as to unclaimed stock and dividends, to extend to stock transferrable at the Bank of Ireland. Notice by advertisements to be given before re-transfer or payment of dividends.

## WINE LICENCES.

CAP. CVII.—*An Act for granting to Her Majesty certain Duties on Wine Licences and Refreshment Houses, and the granting Wine Licences in Ireland.* (28th August, 1860.)

The same duties and regulations as imposed by Cap. XXVII. for Great Britain.

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## EAST INDIES.—PRIZE MONEY.

*Copy of a Despatch in July, 1858, signifying the approval of the late Board of India Directors to the Regulations prepared by the Governor-General on the subject of the Delhi Prize-Money, and all subsequent Correspondence which may tend to explain the delay that has taken place in satisfying the just expectations of the Army which effected the Capture of the City.*  
(Lord Berners.) 29th March, 1860. (61 L.)

THE opinion of the Advocate-General was obtained on the following point: "Whether private property recovered from the rebels and mutineers by the British troops can be considered as prize?" And the opinion was as follows:—

"I am clearly of opinion that treasure and other property of the Government recovered by the British troops from the hands of the insurgents, during the operations against them, cannot be treated as prize, or as distributable among the captors, but that the Government is entitled to restitution of such property.

"2. A clear distinction exists in cases of recapture between property of the State originally captured by an enemy in time of war and similar property seized by rebels or mutineers during an insurrection. In the former case the law of nations recognizes the right of the enemy to seize the property of the State with which it is at war, and by such seizure, when confirmed by possession, the length of which varies according to the laws of different States, the property in the things so captured is changed and vested in the captors, and does not (in the absence of any special law of the country of the recaptors) upon the recapture revert to the original owners, but is properly treated as property of the hostile State, and becomes subject to the laws of prize of the recaptors. But in an insurrection, such as the present one, the law of nations recognizes no right whatever of capture on the part of the original takers, whose seizure is looked on as a simple act of lawless plunder, which has no more effect in divesting the property of the original owners than a highway robbery in time of peace would have, and the troops of the State whose property has thus been pillaged by its own subjects, or even by foreigners aiding such subjects in their treason, when they retake such property from the plunderers, merely retake it on behalf of the Government, and acquire no legal rights of prize or of property, whatever claim they may have on the liberality of the State.

"3. It is immaterial whether the insurgents who have plundered the property are subjects of the British Government, or foreigners, and subjects of a native independent State, provided such State has not itself waged war against the British Government. The subjects of Holkar or Scindiah who make an inroad into British territory, and aid the mutineers in plundering British property, without the sanction of their sovereigns, who still remain in alliance with the British Government, are mere freebooters, who do not acquire, and cannot confer, any of the rights of an enemy in war, either as to the plundered property or in any other respect.

"4. The Prize Act for the Army (2 W. IV. c. 53) recognizes the above principle, as it limits the property distributable under it to property belonging to the State or to any public trading company of Her Majesty's enemies, upon the capture of any fortress or possession of such enemies.

"5. The case of property captured by sea (which is more discussed by



modern writers on international law, and has been more frequently the subject of judicial decision, than that of captures on land) affords a direct analogy to the present case. When captured by a lawful enemy, the property is, after a sufficient time has elapsed, absolutely changed, and the original owner loses all right to restitution (except where the positive law of the recaptor's nation prescribes restitution on certain conditions, or our own statute law does); but when captured by pirates, or by a captor other than a lawful enemy, the property of the owner remains unchanged, and on recapture he is entitled to restoration, subject to a salvage remuneration to the recaptors.

"6. The principles above stated apply also to the property of private individuals who have taken no part in the insurrection, plundered by the insurgents, and retaken by our troops. Such private property can in no case be deemed lawful prize when identified and claimed by the original owner."

In consequence of this opinion, a general order was issued directing that the officers in command of the troops employed in quelling the insurrection shall appoint committees for taking an account of all treasure and public property recaptured from the insurgents and mutineers. It appears, however, that the prize-agents had, in many cases, accepted offers of money from the inhabitants of Delhi to guarantee them immunities from further sequestrations of their property, and that much of the property captured had already been sold. The amount of money collected by the Prize Agents, Delhi Field Force, and deposited in Government treasuries, was 32,41,917 rupees, which, with the value of certain elephants, and with interest, formed 35,57,917 rupees. And the principle adopted for the distribution of the property is to grant to the troops, as prize, the property belonging to the State and that belonging to private individuals recovered from the mutineers. And property taken by the troops, which is neither claimed on behalf of the State, nor claimed and identified by individuals, to be also considered to be prize.

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## PUBLIC GENERAL STATUTES.

23° &amp; 24° VICTORIA, 1860.

## SERIES F.—BRITISH INDIA, COLONIES, &amp;c.

## UNITED KINGDOM.

## PROBATE AND ADMINISTRATION.

CAP. V.—*An Act to regulate Probate and Administration with respect to certain Indian Government securities; to Repeal certain Stamp Duties; and to extend the operation of the Act of the 22nd and 23rd years of Victoria, chap. 39, to Indian Bonds.* (23rd March, 1860.)

Indian Government notes on which interest is payable in London, and certain Indian Government promissory notes to be deemed *bona notabilia* in England. Probate, &c., on confirmation granted in Scotland, valid. Transfers of territorial debt and of Indian Government loans not chargeable with stamp duty. Power to raise money under Act 22 & 23 Vict., c. 39, extended to repayment of East India Bonds.

## DOMINICA HURRICANE LOAN.

CAP. LVII.—*An Act to authorize an Extension of the time for Repayment of a Loan made by the West India Relief Commissioners to the Island of Dominica.* (6th August, 1860.)

## BRITISH MARRIAGES IN THE IONIAN ISLANDS.

CAP. LXXXVI.—*An Act to make Provision respecting the Marriages of British Subjects in the Ionian Islands.* (6th August, 1860.)

Marriages already contracted between British subjects in the Ionian Islands to be valid. All further marriages, in order to be valid, must be solemnized in the following manner:—It must be solemnized with open doors, either in some Christian place of worship, or in the palace or residence of the Lord High Commissioner. It must be solemnized within the hours specified on the licence, and in the presence of two or more witnesses, and of the officiating minister or of the secretary of the Lord High Commissioner. The ceremony to be such as is required by the persons entitled to regulate the place of worship where the marriage is solemnized. A certificate of marriage to be signed in the presence of two witnesses, and entries of the same to be reported to the Registrar-General.

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## SENIOR MEMBER OF COUNCIL, INDIA.

CAP. LXXXVII.—*An Act to remove doubts as to the authority of the Senior Member of the Council of the Governor-General of India, in the absence of the President.* (13th August, 1860.)

## ADMIRALTY JURISDICTION IN COLONIES.

CAP. LXXXVIII.—*An Act to Extend certain Provisions for Admiralty Jurisdiction in the Colonies of Her Majesty's Territories in India.* (13th August, 1860.)

## EUROPEAN FORCES IN INDIA.

CAP. C.—*An Act to Repeal so much of the Act of the 22 & 23 Vict., c. 27, and of certain other Acts as authorize the Secretary of State in Council, to give direction for raising European Forces for the Indian Army of Her Majesty.* (20th August, 1860.)

## EAST INDIA STOCK.

CAP. CII.—*An Act to Provide for the Management of East India Stock, and of the Debts and Obligations of the Government of India at and by the Bank of England.* (20th August, 1860.)

## COAST OF AFRICA AND FALKLAND ISLANDS.

CAP. CXXI.—*An Act to amend an Act passed in the sixth year of Her Majesty Queen Victoria, intituled An Act to enable Her Majesty to provide for the Government of her Settlements on the Coast of Africa and on the Falkland Islands.* (28th August, 1860.)

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## COLONIAL LEGISLATURES.

CAP. CXXII.—*An Act to enable the Legislatures of Her Majesty's Possessions abroad to make Enactments similar to the Enactment of the Act 9 Geo. IV. c. 39, s. 8.* (28th August, 1860.)

## EAST INDIA LOAN.

CAP. CXXX.—*An Act to enable the Secretary of State in Council of India, to raise Money in the United Kingdom for the Service of the Government of India.* (28th August, 1860.)

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